RECORDS

VOL. 63

METROPOLITAN DISTRICT COMMISSION

MAY 14, 1998
TO
NOV. 5, 1998

Record of the Three Thousand Eight Hundred and Fiftieth (3850th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 14, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 23, 1998 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment No. 1, dated May 14, 1998, to Contract-Agreement No. P82-1112-D2A, with Hayden/Wegman, Inc., for Design of Peddocks Island Pier Replacement.

2. Contract No. P95-1783-C1A, dated May 14, 1998, with B & E Construction Corporation, for Boston Harbor Beaches Program: Rehabilitation of Constitution Beach, East Boston.

3. Contract No. P97-1914-C3A, dated May 14, 1998, with ABC Contractors, Inc., for Rehabilitation of Waiting Room Facility, Hull.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher, Brooks, Mayhew and Park, April 27, on bids for Replacement of Translucent Roof Panels at the Emmons-Horrigan-O'Neill Rink, Charlestown, Contract No. P98-1931-C1A.
(Messrs. Faucher, Brooks, Mayhew and Park recommend acceptance of the lowest bid received, that of John Associates, Inc., of $27,000.00).
The Commission V O T E D: to accept the lowest bid received, that of John Associates, Inc., of $27,000.00.

5. Report of Messrs. Faucher and Brooks, April 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1957-M1A, for Maintenance of Refrigeration Systems located in Ice Skating Rinks within the Metropolitan Park System.
Estimated Cost - $620,000.00.
Account No. 2440-0010 - FY99-00.
Funding is contingent upon sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1957-M1A, for Maintenance of Refrigeration Systems located in Ice Skating Rinks within the Metropolitan Park System.

6. Report of Messrs. Faucher and Jackson, April 29, requesting that the Commission reject all Filed Sub-Bids and authorize

readvertisement of Contract No. P97-1871-C1A, for Construction of a New Comfort Station at Richard T. Artesani Playground, Brighton.
(General bids were scheduled to be opened on April 22, 1998, however, no bids were received).
Messrs. Faucher and Jackson further request that they be authorized to readvertise the project as P97-1871-C2A.
Estimated Cost - remains at $190,000.00.
Time for Performance - nine months.
Account No. 2440-8952.
The Commission V O T E D: to reject all Filed Sub-Bids and authorize readvertisement of Contract No. P97-1871-C1A, for Construction of a New Comfort Station at Richard T. Artesani Playground, Brighton.
The Commission further V O T E D: authorization to readvertise the project as P97-1871-C2A.

1. Report of Miss Overton and Messrs. Faucher and Jackson, April 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1784-C3A, for Phase 2 Improvements, South Boston Beaches Rehabilitation.
Estimated Cost - $4,000,000.00.
Time for Performance - July 1998 to December 1999.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1784-C3A, for Phase 2 Improvements, South Boston Beaches Rehabilitation.

2. Report of Messrs. Faucher and Jackson, May 8, submitting for approval, Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1954-C1A, for Construction of New Playground, Nantasket Beach.
Estimated Cost - $100,000.00.
Time for Performance - start of project in early summer and completed by fall.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1954-C1A, for Construction of New Playground, Nantasket Beach.

3. Report of Messrs. Faucher, Jewett and Winter, May 8, on bids for Diesel Engine Work at the Charles River Dam in compliance with 310 CMR and also to repair a Water Pump at the Amelia Earhart Pump Station on the number one engine.
(Messrs. Faucher, Jewett and Winter recommend acceptance of the only bid received, that of Boston Fuel Injection Incorporated, of $40,840.00).
Account No. 2440-8960.
The Commission V O T E D: to accept the only bid received, that of Boston Fuel Injection Incorporated, of $40,840.00.

1. Report of Messrs. Faucher and Abounaja, May 5, recommending approval of revisions in quantities on the following items on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities -

Item No. 002-001 **$26,000.00**
Furnish and Install 1000 Gallon Fuel Tank
Item No. 002-002 **$31,000.00**
Furnish and Install 2000 Gallon Fuel Tank
Item No. 003-005 **$12,500.00**
Bituminous Concrete Pavement Repair & Resurfacing
Item No. 003-006 **$10,000.00**
Loaming and Seeding

Total = $79,500.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-003 - Furnish and Install 3000 Gallon Underground Heating Oil Fuel Tank, Item No. 002-004 - Furnish and Install 4000 Gallon Underground Heating Oil Fuel Tank, and Item No. 001-008 - Excavation and Lawful Disposal of Contaminated Soil).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Soroka, April 22, recommending authorization for Coviello Electric & General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors on Contract No. P98-1927-M1A, for Servicing Traffic Signals and Control Systems Charles River Basin Districts -

Adgreene Enterprises, Inc.
Item No. 019-010 **$20,000.00**
Painting of Traffic Control Devices - Lump Sum
Marli Contracting Corp. or Camdele Construction Co., Inc.
Item No. 011-010 **$ 4,000.00**
Cement Concrete Foundation Removed and Discarded
Item No. 011-020 **$ 4,000.00**
Cement Concrete Foundation Octagonal Base
(At no additional Contract cost)
The Commission V O T E D: authorization for Coviello Electric & General Contracting Co., Inc., General Contractor, to engage the services of Adgreene Enterprises, Inc. and Marli Contracting Corp. or Camdele Construction Co., Inc., as sub-contractors on Contract No. P98-1927-M1A, for Servicing Traffic Signals and Control Systems Charles River Basin Districts, as recommended by Messrs. Faucher and Soroka in their report of April 22, 1998.

3. Report of Messrs. Faucher, Brooks, Mayhew and Park, May 8, requesting that the Commission allow Wayne and Company to withdraw its low bid of $53,260.00, due to a substantial clerical error in its bid, and reject all other bids on Project No. P98-1928-C1A, Demolition and Site Improvements, Revere. Messrs. Faucher, Brooks, Mayhew and Park further recommend that authorization be given to readvertise the project as Project No. P98-1928-C2A, at an estimated cost of $55,000.00.
Account No. 2490-8881.

The Commission V O T E D: to allow Wayne and Company to withdraw its low bid of $53,260.00, due to a substantial clerical error in its bid, and reject all other bids on Project No. P98-1928-C1A, Demolition and Site Improvements, Revere.
The Commission further V O T E D: authorization to readvertise the project as Project No. P98-1928-C2A, at an estimated cost of $55,000.00.

1. Report of Messrs. Faucher, Brooks and Park, May 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1945-C1A, for Roof Replacement at Nahant Beach Bathhouse and Breakheart Reservation Office/Nahant and Saugus.
Estimated Cost - $140,000.00.
Time for Performance - approximately two months.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1945-C1A, for Roof Replacement at Nahant Beach Bathhouse and Breakheart Reservation Office/Nahant and Saugus.

2. Report of Messrs. Faucher, Brooks, Haider and Kane, May 12, requesting that the Commission reject the only bid received, that of Standard Mechanical of New England, for Project No. P98-1923-C2A, Relocation and Construction for the Backflow Preventer and authorize the readvertisement of the work as Project No. P98-1923-C3A, for the Relocation and Construction for the Backflow Preventer.
Estimated Cost - $95,000.00.
Estimated Completion - ninety calendar days.
Account No. 2440-8952.
The Commission V O T E D: to reject the only bid received, that of Standard Mechanical of New England, for Project No. P98-1923-C2A, Relocation and Construction for the Backflow Preventer.
The Commission further V O T E D: to authorize the readvertisement of the work as Project No. P98-1923-C3A, for the Relocation and Construction for the Backflow Preventer.

3. Report of Messrs. Faucher, Brooks and Haider, May 7, recommending approval of a revision in quantities on Item No. 002-010 - parts and materials - at a cost of $6,000.00, on Contract No. P97-1909-M1A, with P. J. Kennedy and Sons, Inc., for Service to H.V.A.C. Systems for the Locks and Dams.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-010, Providing Maintenance Service).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Brooks, May 12, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for completing the dehumidification installation at Murphy Rink, South Boston and Shea Rink, Quincy. In addition to installing security fencing around units at all four locations - upset limit of $15,000.00, on Contract No. P97-1906-C1A, with Multitemp Mechanical Corporation, for

Replacement of Dehumidifiers at the Reilly Rink, Brighton - Shea Rink, Quincy - Bryan Rink, West Roxbury, and Murphy Rink, South Boston.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Extra Work Order No. 1, on Contract No. P97-1906-C1A, with Multitemp Mechanical Corporation.
The Commission further V O T E D: to approve Extra Work Order No. 1, at an upset limit of $15,000.00.

1. Report of Mr. Faucher and Mrs. O'Brien, May 13, submitting for approval Project Justification, Project Summary, Work Schedule and requesting authorization to advertise Project No. PL97-044-C1A, for Pope John Paul II Park Development/Phase 1.
Estimated cost - $7,700,000.00.
Time for Performance - twenty four months - construction period.
Account Nos. 2440-9800 and 2420-8961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL97-044-C1A, for Pope John Paul II Park Development/ Phase 1.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Baratta, April 10, requesting approval of Amendment No. 3, to Contract No. WM97-061-D1A, with Weston & Sampson Engineers, for Master Sewer Design - Phase II, West Boylston and Holden, which calls for an increase in the budget, by an amount not-to-exceed $10,000.00, to Resolve Design Issues during the construction of the Fast Track Sewer in the Pinecroft Area and Bullard Street extension.
Account No. 2420-7961.
The Commission V O T E D: Approved.

3. Report of Messrs. McGinn and Baratta, April 3, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM98-061-C1A (97-1H), for Sewer Construction Project Phase III, Holden.
Estimated Cost - $8,700,000.00.
Time for Performance - twenty three months.
Account No. 2420-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM98-061-C1A (97-1H), for Sewer Construction Project Phase III, Holden.

4. Report of Messrs. McGinn and Pula, May 7, requesting approval of the 1998 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report.
Messrs. McGinn and Pula further request approval to close the controlled hunt areas outlined in Table 1 to all persons except those with official MDC access permits, for the following periods for each area -

Pelham - November 30 - December 2
Hardwick - December 7 - December 9
Petersham - December 7 - December 9
Messrs. McGinn and Pula further request that the Commission approve access for hunters with MDC permits to Prescott Peninsula, for the date outlined (November 30 - December 2), as required by Chapter 737 of the Acts of 1972, Section 9.
Associate Commissioner Wu noted that the backup information does not explain why the Watershed Management Division is making the request to close the New Salem area to hunting.
William Eliot, a member of the Board of Directors of the Friends of Quabbin and its representative to the Quabbin Watershed Advisory Committee (QWAC) addressed the Commission.
He stated that QWAC voted recently to request that the MDC suspend hunting at the New Salem area of Quabbin Reservation for a two year trial period.
Mr. Eliot stated that this action by QWAC was prompted by the Quabbin Management Report and in particular Table 3 of the report which indicated a very low number of deer being taken from the New Salem area.
Secretary Chisholm then read a portion of a letter signed by Alexandra Dawson and Eileen Simonson, Co-Directors of the Water Supply Citizens Advisory Committee, in which they stated support of the proposal by the Quabbin Watershed Advisory Committee to halt the deer hunt for two years in the New Salem area. They further stated that they would like to see it extended to the rest of the Reservation, section by section, in future years.
John MacDonald, Deer Project Leader for the Massachusetts Division of Fisheries and Wildlife, stated that he opposed the closure of the New Salem area to hunting.
He explained that the original intent was to continue the deer hunt in all five areas for a minimal period of two or three days. He felt that this was the appropriate action to take.
Mr. MacDonald then stated that the hunt is a management tool designed to protect watershed quality and in order to be successful, it has two stages -
The Reduction Stage - first three years of the Hunt and the Maintenance Stage.
He then explained that by placing the New Salem area off limits to hunting, a refuge would be created for the deer. He stated that the Commission should move forward with the original plan and continue the maintenance level hunt in all areas of the Reservation.
Mr. Pula stated that the original proposal was to hunt all of the areas. He explained that following a meeting with members of QWAC, it was decided that taking a year off from the hunt in the New Salem area would be a reasonable compromise.
During that time, the Watershed Management Division could take a closer look and possibly make a new judgment for next year, he explained.
Associate Commissioner Carr questioned if the Watershed Management Division held Public Hearings prior to making the recommendations to the Commission.
Mr. Pula stated that he met with QWAC. However, Public Hearings are not required for the hunt.

Associate Commissioner Carr stated that it appears that the regeneration program is working and questioned why the Division of Watershed Management is requesting an increase from two to three days for certain areas of the Reservation.
Mr. MacDonald stated that it is an insurance day in the event of rain.
Associate Commissioner Wu asked if removing New Salem from the hunt for one year would create a problem. Mr. Pula stated that he did not foresee a problem.
Associate Commissioner Wu asked what criteria will be used for next year's hunt. This will be worked out next Spring, Mr. Pula explained.
Associate Commissioner Elkort stated that she agreed with QWAC and does not want to see the hunt turn into a recreational activity.
The Commission V O T E D: to approve the 1998 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report, as follows -

LOCATION	SEGMENTS	#HUNTERS (APPROX)	ACRES/ HUNTER	DATES
PELHAM Gates 3A-16 9,000 acres	1, 3-Day	300	30	Nov. 30 to Dec. 2
PRESCOTT Gates 17-21 12,400 acres	1, 3-Day	375	33	Nov. 30 to Dec. 2
HARDWICK Gates 41-50 5,700 acres	1, 3-Day	183	30	Dec. 7 to Dec. 9
PETERSHAM Gates 36-40 8,600 acres	1, 3-Day	288	30	Dec. 7 to Dec. 9
TOTALS: **(40,400 acres)**	**4 Segments (12 area-days)**	**1,146**	---	---

The Commission further V O T E D: approval to close the controlled hunt areas outlined in Table 1 to all persons except those with official MDC access permits, for the following periods for each area -
Pelham - November 30 - December 2
Hardwick - December 7 - December 9
Petersham - December 7 - December 9
The Commission further V O T E D: to approve access for hunters with MDC permits to Prescott Peninsula, for the date outlined (November 30 - December 2), as required by Chapter 737 of the Acts of 1972, Section 9. The
Commission further V O T E D: to accept the recommendations of the Watershed Management Division which includes a one year moratorium for hunting in the New Salem area of Quabbin Reservation.

1. Report of Messrs. McGinn and Baratta, April 7, requesting approval of the following on Contract No. WM95-061-C1A, with Roads Corporation, for Fast Track Sewer Construction Pinecroft Area of Holden and West Boylston -

REVISIONS IN QUANTITIES

Item No. 1f 12"PVC sewers 16'+deep	+ $ 1,680.00
Item No. 1g 15"PVC sewers 0-16'deep	+ $ 76.00
Item No. 1h 18"PVC sewers 0-16'deep	+ $ 84.00
Item No. 2c 12"Dl force main, trench alone	+ $47,250.00
Item No. 2d 12"Dl force main, sewer trench	- $38,696.00
Item No. 3c 12x6 PVC wye branch	+ $ 250.00
Item No. 6i 10" Exterior Drop Connection	+ $ 127.50
Item No. 9c Perm.pave.2"binder trench width gravity & FM<12'	- $15,937.50
Item No. 9e Perm.pave.2"binder trench width force main only	+ $10,230.00
Item No. 10a Reconstruction of mismarked AC&TP water mains	+ $ 8,500.00
Item No.11a Calcium Chloride	+ $ 6,000.00
Item No. 11B Baled hay/Temporary silt fence	+ $10,000.00
	Total = $29,564.00

EXTRA WORK ORDERS

Extra Work Order No. 1 Increase size of ventilation louvre	$ 3,935.52
Extra Work Order No. 2 Apply two coats of paint to walls and ceilings of the lower and intermediate level of pump station	$ 7,437.17
	Total = $11,376.69

Account No. 2420-7961.
The Commission V O T E D: to approve the Revisions in Quantities, in the amount of $29,564.00, as requested by Messrs. McGinn and Baratta in their report of April 7, 1998.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $3,935.52.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $7,437.17.

2. Report of Messrs. McGinn, Kane and Ronald O'Connor, May 6, on bids for Restoration of the Downstream Areas, Goodnough Dike, Quabbin Reservoir, Ware, Contract No. WM95-011-C1A.
(Messrs. McGinn, Kane and O'Connor recommend acceptance of the lowest bid received, that of Tasco Construction, Inc., of $158,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Tasco Construction, Inc., of $158,000.00.

1. Report of Mr. McGinn and Ms. Carr, January 30, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM98-094-X1R, for Wachusett Watershed Technical Assistance Program (TA5) Town of Boylston - Master Grant Agreement.
Estimated Cost - $30,000.00.
Time for Performance - one year and three months.
Account No. 2420-1400-TT-T04
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM98-094-X1R, for Wachusett Watershed Technical Assistance Program (TA5) Town of Boylston - Master Grant Agreement.

2. Report of Messrs. McGinn and Kane, April 14, recommending the following on Contract No. WM86-004-C2A, with RDA Construction Corp., for Expedient Remedial Repairs and Reconstruction of the Training Wall at the DWM, Stearns Dam, Framingham -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 7 (Final), in the amount of $1,888.12, be approved for payment.
(c) That reserve, in the amount of $4,626.89, be approved for payment.
(Basis of Award - $94,450.00)
(Amount to Date - $92,537.75)
(Contract Performance Rating - 2.33)
(EEO Compliance - 1.00)
The Commission V O T E D: that the work of RDA Construction Corp., Contractor under Contract No. WM86-004-C2A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $1,888.12, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,626.89, for payment.
Mr. Jewett requested that the Commission's attention be focused on the low performance and EEO Compliance evaluation given to the Contractor on this project.
This matter, he explained, will be evaluated by the Contractor Prequalification Committee and a report will be submitted to the Commission regarding any administrative action taken on the Contractor's Prequalification status.

3. Report of Messrs. McGinn and Kane, May 12, requesting that the Commission amend its vote of January 29, 1998, approving Extra Work Order No. 1 - by increasing the sum from $8,050.00 to $9,850.00 - to provide sanitary sewer and water supply lines to newly installed modular buildings - on Contract No. WM97-078-C1A, with the D'Allesandro Corporation, for Sewer and Drain Line Installation, MDC Wilson Street Maintenance Yard, Clinton.
Account No. 2420-1400.
The Commission V O T E D: to amend its vote of January 29, 1998, approving Extra Work Order No. 1 - by increasing the sum from $8,050.00 to $9,850.00 - to provide sanitary sewer and water supply lines to newly installed modular buildings - on Contract

No. WM97-078-C1A, with the D'Allesandro Corporation, for Sewer and Drain Line Installation, MDC Wilson Street Maintenance Yard, Clinton, as requested by Messrs. McGinn and Kane in their report of May 12, 1998.

1. Report of Mr. McGinn, May 8, requesting approval and execution of Amendment No. 1, for an extension of time from June 30, 1998 to December 31, 1998, on Contract No. WM95-060-X1A, with SEA Consultants, Inc., for Pilot On-site Remediation Program. (At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated May 14, 1998, to Contract No. WM95-060-X1A, with SEA Consultants, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

2. Report of Mr. Brown, April 6, on behalf of an Administrative Hearing Committee recommending that the Commission assess a financial sanction against G.V.W., Inc., in the amount of $40,000.00, for non-compliance with the MBE/WBE contract provisions, on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
The Commission V O T E D: Held Over.

3. Report of the Concession Selection Committee, April 29, recommending that the Commission rescind its vote of April 16, 1998, awarding the food service concession at Ponkapoag Golf Course to Arrowhead Foods, Inc.
The Concession Selection Committee further requests that the Commission reject all other proposals submitted for the concession. The Concession Selection Committee further requests that it be authorized to solicit new proposals for the concession.
Associate Commissioner Carr spoke of a letter, dated April 27, 1998, from Michael Smith Ph.D., of Law Firm of Fagan, Froio, Galla & Smith, L.L.C., in which he claimed that the Concession Permit Agreement presented to Arrowhead Foods, Inc., for signature, was not entirely based upon the information in the Request for Proposals as issued by the MDC.
Mr. McDonald explained that he and the Concession Committee had met with Mr. Dana Thorpe, President of Arrowhead Foods and Attorney Smith, to negotiate fourteen items in the Permit, Mr. Thorpe had a problem with. It now appears that we have reached an impasse with Mr. Thorpe.
Associate Commissioner Wu asked if Attorney Smith and Mr. Thorpe are aware that the Committee is recommending that the Commission vote favorably on the Concession Selection Committee's recommendations at today's meeting.
Mr. McDonald stated that Attorney Smith is aware that the matter was on the Agenda and if it was not resolved prior to today's meeting, the recommendation would stand. He then noted that the Agreement has not been signed by Mr. Thorpe and he does not see anyone representing Arrowhead Foods, Inc., at today's meeting.

Associate Commissioner Wu noted that it appears that this matter will end up in litigation and the MDC should be fully prepared for this eventuality.
He then stated that it appears that Mr. McDonald and the Concession Selection Committee have been very reasonable and negotiated in good faith. However, Mr. Thorpe has not been reasonable in his demands of the MDC and he will be precluded from bidding when the Ponkapoag Golf Course food concession is once again advertised for proposals.
Associate Commissioner Wu asked if Boston Pushcart, the temporary concessionaire at Ponkapoag Golf Course, was aware that the firm will not be permitted to bid once the new Request for Responses are advertised for proposals.
Mr. McDonald stated yes.
The Commission V O T E D: to approve a Temporary Permit to Boston Pushcart for operation of an outdoor food concession at Ponkapoag Golf Course until such time as a Permit is awarded and executed for operation of the permanent concession at Ponkapoag Golf Course.
Compensation to the Commission will be 12% of gross sales.
The Commission further V O T E D: to rescind its vote of April 16, 1998, awarding the food service concession at Ponkapoag Golf Course to Arrowhead Foods, Inc.
The Commission further V O T E D: to reject all other proposals submitted for the concession.
The Commission further V O T E D: to authorize the Concession Selection Committee to solicit new proposals for the concession.
Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Mr. Doak, May 6, recommending approval of the request of the Hyde Park Junior Athletic Association to designate the baseball field across from Charles Senior Field, at the Kelly Field complex in Hyde Park, as the Louis Raymond Foley Field.
The Commission V O T E D: to approve the request of the Hyde Park Junior Athletic Association to designate the baseball field across from Charles Senior Field, at the Kelly Field complex in Hyde Park, as the Louis Raymond Foley Field.

2. Report of Miss Overton and Mr. Traficante, May 8, recommending approval and execution of a service contract with Health Resources, the only bidder, to Medically Evaluate MDC Employees at Risk for Occupational Exposure to Hazardous Materials -
Maximum Obligation - $10,000.00 for FY98 - $10,000.00 for FY99 and $10,000.00 for FY00.
Funding for FY99 and FY00 subject to appropriation.
Funding for FY98 - Account No. 2440-0010.
(The Contract is for one year, with two Commission options to renew for one year each).
The Commission V O T E D: Approved.
The Contract did not arrive in time for the Commission Meeting, therefore, the Commission V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Mr. Jewett, May 11, on behalf of the Consultant Selection Committee, requesting selection of Vollmer Associates LLP, for Contract No. P98-1956-D2A, for Construction Phase Administrative Services - Rehabilitation of Constitution Beach.
Mr. Jewett further requests execution of the Contract.
Compensation - $49,889.00 - paid on a cost plus fixed fee basis.
Time for Performance - estimated at twenty-four months.
Account No. 2440-8956.
The Commission V O T E D: to approve the selection of Vollmer Associates LLP, for Contract No. P98-1956-D2A, for Construction Phase Administrative Services - Rehabilitation of Constitution Beach.
The Secretary then submitted for signature Contract No. P98-1956-D2A, dated May 14, 1998, with Vollmer Associates LLP, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Jewett, May 11, on behalf of the Consultant Selection Committee, requesting selection of Aquatic Control Technology, Inc., for Contract No. P95-1798-M2A, for Weed and Algae Control - Upper Mystic Lake - Upper and Middle Forebays, Winchester.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
Compensation - $10,975.00 for the 1998 season and $10,975.00 for the 1999 season for a total cost of $21,950.000 to be paid on a treatment completion basis each year.
Time for Performance - approximately twenty months.
Account No. 2440-0010.
The Commission V O T E D: to approve selection of Aquatic Control Technology, Inc., for Contract No. P95-1798-M2A, for Weed and Algae Control - Upper Mystic Lake - Upper and Middle Forebays, Winchester.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

3. Report of Mr. Jewett, May 11, on behalf of the Consultant Selection Committee, requesting selection of Mark T. Wilhelm, for Contract No. P93-1693-D1A, for Fort Independence, Castle Island, South Boston Sallyport Entrance Renovation - Construction Specifications and Cost Estimate.
Estimated Cost - Lump Sum of $5,000.00 to be paid on a percentage of completion basis.
Time of Performance - nine months.
Account No. 2440-8956.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to approve the selection of Mark T. Wilhelm, for Contract No. P93-1693-D1A, Fort Independence, Castle Island, South Boston Sallyport Entrance Renovation - Construction Specifications and Cost Estimate.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.08 acres of land owned by James A. Reusch and Donna Lee Reusch, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $11,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5.08 acres of land owned by James A. Reusch and Donna Lee Reusch, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 14, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Justice Hill Road, also known as Rowley Hill Road, more particularly described as follows:

Beginning at an iron pin on the easterly side of Justice Hill Road, at a point located 123.60 feet southerly, as measured by the easterly line of Justice Hill Road, from a Massachusetts Highway bound, said pin also marking the southwesterly corner of Lot 1, land, now or formerly, of Gregory P. & Robin M. La Flamme, as shown upon a recorded survey plan referenced at the conclusion of this description;

Thence S. 70° 21′ 37" E., 311.90 feet, by the southerly side of Lot 1, to another iron pin at the southeasterly corner thereof;

Thence N. 19° 23′ 43" E., 488.59 feet, by the easterly lines of Lot 1, and of Lot 2, land, now or formerly, of Richard P. Gadilauskas & Nancy E. Brady, to another iron pin at the northeasterly corner of Lot 2, and in the southeasterly line of Lot 3, land formerly of Gadilauskas & Brady, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence N. 76° 18′ 06" E., 197.84 feet, by the southeasterly line of Lot 3, to another iron pin at the southwesterly corner of Lot 4, land, now or formerly, of James W. & Wendy Merrill;

Thence S. 34° 24′ 07" E., 230.16 feet, by the southwesterly line of Lot 4, to another iron pin at the southwesterly corner of Lot 5, land, now or formerly, of Robert J. & Helen Hill;

Thence On the same bearing, 129.68 feet, by the southwesterly line of Lot 5, to another iron pin at the westerly end of a stone wall;

Thence S. 46° 33′ 28" E., 46.00 feet, by the southwesterly line of Lot 5 and the stone wall, to another iron pin set at a point in the wall marking the southeasterly corner of Lot 5 and the northwesterly corner of Parcel A-2, now or formerly, of Stanley M. & Deborah S. Selkow;

Thence S. 53° 55′ 38" W., 518.61 feet, by the westerly line of Parcel A-2, to a drill hole in stones on ledge at a point in the northerly line of land, now or formerly, of Bruce Fisher;

Thence N. 61° 07′ 09" W., 206.97 feet, crossing a brook and running to a drill hole in stones on ledge;

Thence N. 70° 21′ 37" W., 308.71 feet, to a concrete bound on the easterly side of Justice Hill Road, the last two courses being by land, now or formerly, of Bruce Fisher;

Thence N. 12° 51′ 10" E., 27.99 feet, by the easterly line of Justice Hill Road, to the point and place of beginning.

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Containing 5.08 acres, more or less, as shown as Parcel A-1 upon a plan entitled "Land In Sterling, Mass Surveyed For Reusch Brothers Realty Trust", dated January 1985, prepared by Charles A. Perkins Co. Inc., which plan is recorded with Worcester District Registry of Deeds as Plan 123 in Plan Book 529.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Justice Hill Road, also known as Rowley Hill Road, which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from Bruce P. Reusch and James A. Reusch, Trustees of Reusch Brothers Realty Trust, to James A. Reusch and Donna Lee Reusch, dated September 18, 1986 and recorded with Worcester District Registry of Deeds in Book 10447, Page 260.

The above described property is represented upon Sterling Assessors Tax Map 32 as Parcel 32-4.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
James A. Reusch and Donna Lee Reusch	$ 11,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $11,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.792 acres of land owned by Paul B. Lenkarski and Susan A. Lenkarski, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $115,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.792 acres of land owned by Paul B. Lenkarski and Susan A. Lenkarski, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 14, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land, herein described as a single lot, lying on the easterly side of Heritage Lane, bounded, for the most part, by subdivision lots of the Lancaster Commons Subdivision and lands of the Commonwealth of Massachusetts, Metropolitan District Commission, more particularly bounded and described as follows:

Beginning at the westernmost point of the land herein being described, at a point in the easterly line of Heritage Lane, at the northwesterly corner of Lot No. 20, land, now or formerly, of Timothy M. & Kathy L. Duffy;

Thence S. 81° 01'01" E., 252.38 feet, by the northerly line of Lot No. 20, to a point at its northeasterly corner;

Thence S. 01° 06′ 09" W., 264.00 feet, by the easterly lines of Lots No. 20, 19, 18A, 17A, 16, and 15, the last five being lands, now or formerly, of the following, No. 19 of Alexander & Christine M. Grubidge, No. 18A of Brian M. & Gina M. Burke, No. 17A of Lancaster Commons, Inc., No. 16 of Thomas W., Sr. & Carleen Larson, and No. 15 of Karen L. Rondinone, to a point at a corner common to Lots No. 15, No. 14, No. 13 and No. 12, the last three being lands, now or formerly, of the following, No. 14 of Jeffrey M. & Julie A. Taylor, No. 13 of Carle E., Jr. & Deborah R. Sargent, and No. 12 of Jason E. & Eileen M. Clarke;

Thence S. 56° 35′ 04" E., 48.93 feet, by the northeasterly or rear line of Lot No. 12, to a point at its northeasterly corner, at a point in the northwesterly line of Lot No. 11A, land, now or formerly, of Lancaster Commons, Inc.;

Thence N. 33° 24′ 56" E., 84.99 feet, by Lot No. 11A to a point at a corner;

Thence S. 85° 54′ 14" E., 147.65 feet, by Lot No. 11A to a point in a corner at land, formerly of Paul B. & Susan A. Lenkarski, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see instrument dated June 15, 1995 recorded with said Deeds in Book 17169, Page 23);

Thence N. 00° 27′ 58" E., 272.23 feet, by land of the Commonwealth of Massachusetts, MDC, to a point at an angle;

Thence N. 16° 04′ 51" W., 374.68 feet, by land of the Commonwealth of Massachusetts, MDC, to a stone cairn at the southeasterly corner of land, now or formerly, of Thomas A. & Susan E. Morris;

Thence N. 73° 56′ 41" W., 64.91 feet, by land, now or formerly, of Thomas A. & Susan E. Morris, to a point at the northeasterly corner of other land, formerly of Paul B. & Susan A. Lenkarski, now of the Commonwealth of Massachusetts, MDC (see instrument dated September 5, 1996 recorded with said Deeds in Book 18295, Page 277);

Thence S. 27° 09′ 47" W., 433.41 feet, by land of the Commonwealth of Massachusetts, MDC, to a point at a corner;

Thence N. 73° 56′ 43" W., 218.63 feet, by land of the Commonwealth of Massachusetts, MDC, to a point in the arc of the Cul-de-sac forming the northerly terminus of Heritage Lane;

Thence Westerly, along the arc of a curve to the right, having a radius of 50.00 feet, an arc distance of 50.00 feet, said arc being subtended by a central angle of 15° 53′ 09", to a point of tangency;

Thence Southwesterly, along the arc of a curve to the left, having a radius of 50.91 feet, an arc distance of 95.90 feet, said arc being subtended by a central angle of 107° 56′ 43" to a point of tangency, said point being the first mentioned point at the northwesterly corner of Lot No. 20, the point and place of beginning.

Containing 2.792 acres and shown as Lot 21 and adjoining Open Space area 2.487 acres on a plan entitled "Plan of Land in West Boylston Prepared for Lancaster Commons, Inc.," dated 9 March 1995, and prepared by Berry Engineering, Inc., which plan is recorded with Worcester District Registry of Deeds as Plan 88 in Plan Book 693. Said premises are also shown as Lots No. 21A and No. 21B on a plan entitled "Plan of Land in West Boylston Prepared For Lancaster Commons, Inc.," dated 14 October 1996, prepared by Berry Engineering, Inc., which plan is recorded with Worcester District Registry of Deeds as Plan 31 in Plan Book 726.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Heritage Lane, which may be held by the supposed owners as a result of their ownership of the above described premises, and being portions of the same premises described in three deeds: the first deed from Elena J. Vercellone to Paul B. Lenkarski and Susan A. Lenkarski, dated January 9, 1995 and recorded with Worcester District Registry of Deeds in Book 8523, Page 72; the second deed from Angelina Giumetti, Joseph C. Lucci, Charles R. Lucci and Edward J. Lucci to Paul B. Lenkarski and Susan A. Lenkarski, dated March 17, 1986 and recorded with said Deeds in Book 9295, Page 167; and the third deed from William Depatsy, Alfred Depatsy and Yolanda Castagnetti to Paul B. Lenkarski and Susan A. Lenkarski, dated July 1, 1988 and recorded with said Deeds in Book 11816, Page 312.

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The above described property is represented upon West Boylston Assessors Tax Maps 125 and 131.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Paul B. Lenkarski and Susan A. Lenkarski	$ 115,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $115,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 14.25 acres of land owned by Louis P. Nelson, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $36,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 14.25 acres of land owned by Louis P. Nelson, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 14, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in the northerly part of the said Town of Princeton, off of the northerly side of a town way known as Hobbs Road, and adjoining lands of the Commonwealth of Massachusetts, Department of Environmental Management, known as Leominster State Forest, more particularly bounded and described, as follows:

Beginning at the easternmost corner of the parcel herein being described at a heap of stones and a rock, at land formerly of Eli J. Adams, and land, formerly of one Parmenter;

Thence S. 70° W., 79 rods, or 1303.5 feet, more or less, by land formerly of Eli J. Adams, to a heap of stones by the side of a brook, formerly called "Rocky Pond Brook", now called "Steam Mill Brook", at land, formerly of one Jewett;

Thence N. 74° W., 9 rods, or 148.5 feet, more or less, by land formerly of one Jewett, to a stake and stones, at land formerly of one F. Jewett;

Thence N. 3° 45′ W., 50 rods, or 825 feet, more or less, by land formerly of F. Jewett, to another stake and stones, at land formerly of George Woods;

Thence S. 74° 15′ E., 93.5 rods, or 1542.75 feet, more or less, partially by land formerly of George Woods and partially by land formerly of one Parmenter, to the first mentioned easternmost corner at the heap of stones and rock, being the point and place of beginning.

Containing, by prior deed description, 14.25 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from the Town of Princeton, Massachusetts, a municipal corporation to Louis P. Nelson, dated December 12, 1959 and recorded with Worcester District Registry of Deeds in Book 4087, Page 323. For further identification and description see also a deed from Allan H. Gould to Lewis S. Mosher, dated May 22, 1917, and recorded with said Deeds in Book 2135, Page 579.

The above described property is represented upon Princeton Assessors Tax Map 5 as Parcel 29.

All of the above mentioned lands of former abutters are reportedly now held by the Commonwealth of Massachusetts, Department of Environmental Management, as part of the Leominster State Forest.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Louis P. Nelson	$ 36,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $36,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 9.64 acres of land owned by Louis P. Nelson, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $209,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 9.64 acres of land owned by Louis P. Nelson, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 14, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northeasterly side of Lucas Road, between said road and lands of the Commonwealth of Massachusetts, Department of Environmental Management, known as Leominster State Forest, more particularly bounded and described as follows:

Beginning at a point in the northerly line of Lucas Road, in the line of intersection of two stone walls, which do not actually meet, said point marking the southwesterly corner of the parcel herein being described, and also the southeasterly corner of land, now or formerly, of Richard J. & Karen H. Stuart;

Thence N. 09° 58′ 20" E., 106.75 feet, entering the stone wall and running by it to a found drill hole at a point, in said wall;

Thence N. 12° 00′ 00" E., 438.67 feet, by the wall and across a gap in it to an iron pin found at its northerly terminus, at land, now or formerly, of Jean E. Morin, the last two courses being by land, now or formerly, of the aforesaid R.J.& K.H. Stuart;

Thence N. 50° 31′ 55" E., 148.50 feet, to a point at a corner;

Thence N. 36° 47′ 00" W., 297.00 feet, to a point at land of the Commonwealth of Massachusetts, Department of Environmental Management, known as the Leominster State Forest, said point being on or near the Corporate Boundry Line between the Towns of Sterling and Princeton, the last two courses being by land, now or formerly, of J.E. Morin;

Thence N. 29° 49′ 49" E., 132.86 feet, by Leominster State Forest, and a line supposed to be on, or near, the Corporate Boundry Line referred to above, to a stone bound with drill hole found at a corner;

Thence S. 51° 48′ 51" E., 643.39 feet, by the State Forest, to a field stone bound with drill hole found;

Thence S. 20° 49′ 40" E., 207.16 feet, by the State Forest, crossing a brook to a field stone bound with drill hole found;

Thence S. 12° 18′ 44" E., 54.98 feet, by the State Forest, to a point at Lot 2, other land, now or formerly, of Louis P. Nelson, shown upon a recorded survey plan referenced at the conclusion of this description, said Lot 2, and Lot 1, are specifically excluded from the effects of this instrument of taking, and specifically reserved to said owner;

Thence S. 25° 39′ 15" W., 290.11 feet, by Lot 2, to a point;

Thence S. 78° 31′ 24" W., 175.00 feet, by Lot 2, to a point;

Thence S. 14° 54′ 58" W., by Lot 2, to a point in a stone wall, in the northerly line of Lucas Road;

Thence N. 75° 05′ 02" W., 57.50 feet, by the stone wall and the highway, to a point;

Thence N. 75° 23′ 43" W., 79.22 feet, by the stone wall and the highway, to an iron pin set at the point of intersection with an interior stone wall;

Thence N. 82° 32′ 42" W., 76.62 feet, by the highway, and by and through the stone wall, to a point;

Thence N. 86° 54′ 39" W., 52.18 feet, by the highway, and entering the continuation of the stone wall and running to a point in said wall;

Thence S. 77° 19′ 31" W., 63.67 feet, by the highway and the wall, to a point;

Thence S. 75° 19′ 06" W., 64.15 feet, by the highway, and by and through the wall, to the first mentioned point, being the point and place of beginning.

Containing 9.64 acres, shown as Lot 3 and Lot 4, and Parcel "A" upon a plan entitled "Land In Sterling, Mass Surveyed For Louis P. Nelson", dated February 1997, prepared by David E. Ross Associates, Inc., which plan is recorded with Worcester District Registry of Deeds as Plan 115 in Plan Book 712.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Lucas Road which may be held by the supposed owner, as a result of his ownership of the above described property, and being most of the same premises described in a deed from Florence M. Nelson et als to Louis P. Nelson, dated September 17, 1969 and recorded with Worcester District Registry of Deeds in Book 5080, Page 201.

The above described property is represented upon Sterling Assessors Tax Map X29 as Parcel X29-6.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Louis P. Nelson	$ 209,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $209,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 8, recommending that the Commission rescind the Order of Taking adopted by the Commission at its meeting of October 16, 1997, (Rebecca R. Young), and adopt an Order of Taking for acquisition of approximately 0.52 acres of land owned by Rebecca R. Young, located in the Town of Clinton, Massachusetts, and to approve an award of damages in the amount of $75,000.00, together with the cost of development associated with meeting the requirements of Chapter 36 of the Acts of 1992, as amended (the "Cohen Bill") in the amount of $15,000.00, and together with damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402. The Commission V O T E D: to rescind the Order of Taking adopted by the Commission at its meeting of October 16, 1997, (Rebecca R. Young). The Commission further V O T E D: to adopt an Order of Taking for acquisition of approximately 0.52 acres of land owned by Rebecca R. Young, located in the Town of Clinton, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 14, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Clinton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Wilson Street, a public way within the layout of Boylston Street, Routes 62 & 70, identified in previous legal documents as 518 Wilson Street, Lot 2, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a stone monument on the easterly line of Wilson Street, at land, formerly of Henry Kraemer, now of the Commonwealth of Massachusetts, Metropolitan District Commission, and at land of the 518 Wilson Street Condominium Association;

Thence Southerly along the arc of a curve to the right, having a radius of 120.00 feet, an arc distance of 110.00 feet, said arc being subtended by a central angle of 28° 19′ 00", to a point of tangency;

Thence S. 54° 44′ 36" E., 192.00 feet, to a point;

Thence N. 37° 35′ 27" E., 83.47 feet, to a point at land of the Commomwealth of Massachusetts, formerly of the aforesaid Kraemer, the last three courses being by land of the 518 Wilson Street Condominium Association;

Thence S. 54° 44′ 36" E., 171.43 feet, to a stone bound found at the southeasterly corner of land formerly of Kraemer, and at land formerly of Margaret G. Mc Namara & Annie M.V. O'Toole, now of the Commonwealth of Massachusetts, MDC;

Thence On the same bearing, 13.63 feet, to a point at the northeasterly corner of the parcel herein being described;

Thence S. 35° 15′ 24" W., 100.00 feet, to the southeasterly corner of the parcel herein being described, and a stone bound found at the northeasterly corner of land, formerly of Caroline L. Bates, now of the Commonwealth of Massachusetts, MDC;

Thence N. 54° 44′ 36" W., 426.50 feet, by land , formerly of Bates, now of the Commonwealth, to a point in the westerly line of Wilson Street;

Thence N. 23° 18′ 05" E., 94.08 feet, by the westerly line of Wilson Street, to a point;

Thence N. 33° 52′ 04′E., 7.96 feet, by the westerly line of Wilson Street, to the first mentioned stone monument, being the point and place of beginning.

Containing 22,639 square feet, more or less, as shown as Lot 2 upon an unrecorded survey plan prepared for the former owner(s) of the property, a reduced copy of which is attached hereto, labeled EXHIBIT A, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Gerry Hardy to Rebecca R. Young, dated October 11, 1996 and recorded with Worcester District Registry of Deeds in Book 18327, Page 273.

The above described property is further identified as a portion of the parcel shown upon the survey plan recorded with said Deeds as Plan 64 in Plan Book 537.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Rebecca R. Young	$ 75,000.00

The Commission also expressly awards damages in the amount of $ 15,000.00, a sum apart from the value of the land itself, and representing the costs associated with the planned development of this land pursuant to Chapter 36 of the Acts of 1992, as amended, and all such other expenses by agreement with said supposed owner and in settlement of any and all claims arising by reason of said taking.

The Commission further V O T E D: to approve an award of damages in the amount of $75,000.00, together with the cost of development associated with meeting the requirements of Chapter 36 of the Acts of 1992, as amended (the "Cohen Bill") in the amount of $15,000.00, and together with damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:40 a.m., to meet on Thursday, May 28, 1998, at 9:00 a.m.

William F. Crushol
Secretary

Record of the Three Thousand Eight Hundred and Fifty First (3851st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 28, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 30, 1998 were read and approved.

The Secretary submitted for signature the following papers which was signed by the Commissioner and four Associate Commissioners:

1. Amendment No. 1, dated May 28, 1998, to Contract-Agreement No. P95-1768-D1A, with Gale Associates, Inc., for Licensed Site Professional Services for Various MDC Facilities.

2. Amendment No. 2, dated May 28, 1998, to Contract-Agreement No. P95-1768-D1A, with Gale Associates, Inc., for Licensed Site Professional Services for Various MDC Facilities.

3. Interagency Service Agreement, dated May 28, 1998, with the University of Massachusetts, Department of Forestry and Wildlife Management, Amherst, for the Completion of Rare Species Mapping and Inventory on the Division's 100,000 acres of Land.

4. Contract-Agreement No. WM96-078-X1A, dated May 28, 1998, with Beals and Thomas, Inc., for Town of Rutland Master Plan and Zoning By-Law.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Mr. Faucher and Ms. Pomorska, April 30, recommending authorization for Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors on Contract No. P98-1929-C1A, for Installation of Traffic Signal Systems, Day Boulevard, at O & P Streets, South Boston -

Marli Contracting Corp.

Item No. 14 Handicap Ramp Complete in Place - 20 each	$ 5,000.00
Item No. 22 Granite Edgestone - Type 4 - 6"/18 straight 60/LF	$ 1,080.00
Item No. 24 Granite Curb - Remove and Reset 100 LF	$ 800.00

Adgreene Enterprises, Inc.

Item No. 7 Three Inch Galvanized Steel Conduit 1,200/LF (Labor Only)	$14,400.00

The Commission V O T E D: authorization for Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of Marli Contracting Corp. and Adgreene Enterprises, Inc., as sub-contractors on Contract No. P98-1929-C1A.

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1. Report of Messrs. Faucher, Hamel and McGonagle, May 15, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service, on Contract No. P96-1861-M1A, with Coviello Electric & General Contracting Co., Inc., for Maintenance Service Electrical & Electronic Sound Systems at Various MDC Facilities.
The Commission V O T E D: to approve of an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher, Hamel and McGonagle in their report of May 15, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Hamel and Houston, May 15, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service, on Contract No. P96-1849-M1A, with F. M. Emergency Generator, Inc., for Service to Emergency Generators at Various MDC Facilities.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher, Hamel and Houston in their report of May 15, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Hamel and McGonagle, May 14, requesting approval of an extension of time from May 22, 1998 to July 31, 1998, in order to have the Contractor coordinate contract work with other existing construction contracts at various rinks, on Contract No. P97-1902-C1A, with Coviello Electric & General Contracting Co., Inc., to Service Electrical and Electronic Sound System Improvements at Various MDC Rinks.
The Commission V O T E D: to approve an extension of time from May 22, 1998 to July 31, 1998, as requested by Messrs. Faucher, Hamel and McGonagle in their report of May 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher, Brooks and Haider, May 14, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service until a new Contract is awarded, on Contract No. P97-1911-M1A, with SHF Associates, Inc., for Service to Hydraulic Power Systems at Various Flood Control and Navigation Sites.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher, Brooks and Haider in their report of May 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

5. Report of Messrs. Faucher, Brooks and Haider, May 14, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service until a new Contract is awarded,

on Contract No. P96-1860-M1A, with Montgomery Kone, Inc., for Maintenance of Elevators at the MDC Building, Boston.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher, Brooks and Haider in their report of May 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Haider, May 14, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service until the award of a new contract, on Contract No. P97-1909-M1A, with P. J. Kennedy & Sons, Inc., for Maintenance Service and Repairs to HVAC at Various Flood Control and Navigation Sites.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher, Brooks and Haider in their report of May 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Brooks, May 15, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service, on Contract No. P96-1859-M1A, with Lewis Refrigeration Company, for Maintenance of Refrigeration Systems located in Ice Skating Rinks within the Metro Parks System.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher and Brooks in their report of May 15, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Report of Messrs. Faucher, Brooks and Haider, May 14, requesting approval of an extension of time from June 30, 1998 to July 31, 1998, to cover emergency service until award of a new contract, on Contract No. P97-1910-M1A, with Inner Space Services, Inc., for Service to Underwater Structures at Various Flood Control and Navigation Sites.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to July 31, 1998, as requested by Messrs. Faucher, Brooks and Haider in their report of May 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Report of Messrs. Faucher and McCalla, March 24, recommending the following on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC -
(a) That work be accepted as completed as of January 31, 1998.
(b) That Estimate No. 20 (Final), in the amount of $22,585.61, be approved for payment.
(c) That reserve, in the amount of $17,954.93, be approved for payment.

(Basis of Award - $449,466.67)
(Amount to Date - $388,169.06)
(Contract Performance Rating - 4.00)
(EEO Compliance - 4.20)

The Commission V O T E D: that the work of Boston Edison Company, Contractor under Contract No. P96-1821-M1A, be and hereby is accepted as completed as of January 31, 1998.
The Commission further V O T E D: to approve Estimate No. 20 (Final), in the amount of $22,585.61, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $17,954.93, for payment.

2. Report of Messrs. Faucher and Jackson, May 11, on bids for Fertilization of Trees, Contract No. P98-1942-M1A.
Messrs. Faucher and Jackson recommend rejection of the lowest bid received, that of The F. A. Bartlett Tree Expert Co., of $25,195.00, due to the failure of the bidder to submit a bid deposit as required by the provisions of Chapter 149, S44B.
Messrs. Faucher and Jackson further recommend acceptance of the only other bid received, that of Northern Tree Service, Inc., of $37,360.00.
The Commission V O T E D: to reject the lowest bid received, that of The F. A. Bartlett Tree Expert Co., of $25,195.00, due to the failure of the bidder to submit a bid deposit as required by the provisions of Chapter 149, S44B.
The Commission further V O T E D: to accept the only other bid received, that of Northern Tree Service, Inc., of $37,360.00.

3. Report of Messrs. Faucher, Brooks and Haider, May 18, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1966-M1A, for Service to Underwater Structures at Various Flood Control and Navigational Sites.
Estimated Cost - $54,000.00.
Time for Performance - one year.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1966-M1A, for Service to Underwater Structures at Various Flood Control and Navigational Sites.

4. Report of Messrs. Faucher, Brooks and Haider, May 18, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1964-M1A, for Service to HVAC Systems at Various Flood Control and Navigation Sites.
Estimated Cost - $52,000.00.
Time for Performance - one year.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1964-M1A, for Service to HVAC Systems at Various Flood Control and Navigation Sites.

5. Report of Messrs. Faucher and Jackson, May 14, on bids for 1998

Cherry Tree Planting, Contract No. P89-1561-C8A.
(Messrs. Faucher and Jackson request an increase in funding in the amount of $350.00, for the project and recommend acceptance of the only bid received, that of Northern Tree Service, Inc., of $10,350.00).
Account No. 2448-0000.
The Commission V O T E D: to approve an increase in funding in the amount of $350.00, for the project, as requested by Messrs. Faucher and Jackson in their report of May 14, 1998.
The Commission further V O T E D: to accept the only bid received, that of Northern Tree Service, Inc., of $10,350.00.

1. Report of Messrs. Faucher and Haider, March 16, recommending the following on Contract No. P97-1907-C1A, with P. J. Kennedy & Sons, Inc., for Installation of 10" Sewer Line in Hull, Central Service Complex -
(a) That work be accepted as completed as of December 20, 1997.
(b) That Estimate No. 4 (Final), in the amount of $22,574.87, be approved for payment.
(c) That reserve, in the amount of $8,051.25, be approved for payment.
(Basis of Award - $154,383.75)
(Amount to Date - $161,025.00)
(Contract Performance Rating - 80 with 100 being excellent)
(EEO Compliance - 3.25)
The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor under Contract No. P97-1907-C1A, be and hereby is accepted as completed as of December 20, 1997.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $22,574.87, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $8,051.25, for payment.

2. Report of Messrs. Faucher, Brooks and Abounaja, May 18, recommending approval of an extension of time from May 22, 1998 to December 31, 1998, on Contract No. P88-1548-C4A, with SCS Environmental Services, for Asbestos Abatement at Various MDC Facilities.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from May 22, 1998 to December 31, 1998, as recommended by Messrs. Faucher, Brooks and Abounaja in their report of May 18, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Brooks and Abounaja, May 14, recommending approval of an extension of time from October 1, 1997 to October 1, 1999, to complete Item No. 02900 - seeded slope maintenance and watering for two years, on Contract No. P97-1898-C1A, with RHD Construction Company, Inc., for Unquity Road Landfill Closure.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from

October 1, 1997 to October 1, 1999, as recommended by Messrs. Faucher, Brooks and Abounaja in their report of May 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Johnston, May 18, requesting approval of an extension of time from June 30, 1998 to June 30, 1999, to provide services on an as needed basis, on Contract No. P87-1447-M1A, with GZA GeoEnvironmental, Inc., for Geotechnical Engineering Advice.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Haider, May 18, recommending approval of the action of Acting Director Faucher, resulting in Extra Work Orders as follows on Contract No. P97-1916-M1A, with P. J. Kennedy and Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities within the Metro Parks System -

Extra Work Order No. 1A	**$ 6,800.00**
Replacement of existing furnace at the Blue Hills Labor Office.	
Extra Work Order No. 1B	**$ 8,700.00**
Remove and replace cracked boiler - Blue Hills Ski House	
Extra Work Order No. 2	**$ 3,966.00**
Unit heaters needed replacement.	
Total cost =	**$19,466.00**

Account No. 2440-0010.
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Extra Work Orders 1A, 1B and 2, on Contract No. P97-1916-M1A.
The Commission further V O T E D: to approve Extra Work Order No. 1A, in the amount of $6,800.00.
The Commission further V O T E D: to approve Extra Work Order No. 1B, in the amount of $8,700.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $3,966.00.

3. Report of Messrs. Faucher, Brooks and Haider, May 18, recommending approval of a revision in quantities on Item No. 001-010 - diving services - at a cost of $9,592.00, on Contract No. P97-1910-M1A, with Inner Space Services, Inc., for Service and Maintenance for Underwater Structures at Various Flood Control and Navigational Sites.
Account No. 2440-0010.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Robert O'Connor, May 5, on proposals for the purchase of forest products located on Quabbin Reservoir Watershed in the Town of New Salem.

The Commission V O T E D: to accept the only qualified bid, that of Leclerc & Son, of $6,151.25; to purchase approximately 25,190 board feet of logs and 225 tons of pulp on Roadside Sale No. 60 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Kane, April 20, recommending approval of Amendment No. 3, for additional design work at a cost of $36,650.00, on Contract No. WM94-003-D1A, with A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge.
Account No. 2420-7881.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Kane, April 16, recommending the following on Contract No. WM97-078-C1A, with D'Allesandro Corporation, Inc., for Sewer Line Installation, Maintenance Yard, Clinton -
(a) That work be accepted as completed as of January 29, 1998.
(b) That Estimate No. 1 (Final), in the amount of $76,146.85, be approved for payment.
(c) That reserve, in the amount of $3,489.30, be approved for payment.
(Basis of Award - $70,011.50)
(Amount to Date - $79,636.15)
(Contract Performance Rating - 4.80)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of D'Allesandro Corporation, Inc., Contractor under Contract No. WM97-078-C1A, be and hereby is accepted as completed as of January 29, 1998.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $76,146.85, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,489.30, for payment.

3. Report of Mr. McGinn and Ms. Carr, May 12, requesting approval of an extension of time from June 30, 1998 to December 31, 1998, due to delays in the Town of Sterling's consultant selection and resultant need to coordinate with Town Meeting on Contract No. WM98-095-S1A, with Town of Sterling - Master Grant Agreement - for Wachusett Watershed Technical Assistance Program.
(At no increase in Contract cost).
The Commission V O T E D: Approved as requested by Mr. McGinn and Ms. Carr in their report of May 12, 1998.

Action was taken upon the following Various Matters:

4. Report of Mr. Brown, April 6, on behalf of an Administrative Hearing Committee recommending that the Commission assess a financial sanction against G.V.W., Inc., in the amount of $40,000.00, for non-compliance with the MBE/WBE contract provisions, on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
The Commission V O T E D: Held Over.

5. Report of Mr. Broderick, May 19, requesting that the Commission

vote to designate the new shade shelter at George's Island as the Edward Rowe Snow Memorial Pavilion.
Associate Commissioner Wu asked that Mr. Broderick ensure that the plaque to be installed at the shelter, include biographical information on Edward Rowe Snow.
Mr. Broderick noted that family and friends of Edward Rowe Snow are preparing the legend for the plaque and he will speak to the group concerning Associate Commissioner Wu's request.
The Commission V O T E D: to designate the new shade shelter at George's Island as the Edward Rowe Snow Memorial Pavilion.

1. Report of Mr. Jewett, May 22, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission the following four (4) Contracts for Professional Land Survey Services relating to Watershed Land Acquisition Program, Open Order Contract No. RP98-0001 -

NAME	VALUE	PARCELS
Andrysick Land Surveying, Inc.	$10,205.00	2
Berry Engineering, Inc.	$ 4,740.00	2
Bouley Brothers, Inc.	$ 4,900.00	3
Hub Survey Associates, Inc.	$ 7,900.00	3

Account No. 2420-1402.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission the Contracts with Andrysick Land Surveying, Inc., Berry Engineering, Inc., Bouley Brothers, Inc. and Hub Survey Associates, Inc., for Professional Land Survey Services relating to Watershed Land Acquisition Program, Open Order Contract No. RP98-0001.

2. Report of Mr. Jewett, May 22, recommending approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, a Contract for real estate relocation services with Relocation Consultants relating to the Watershed Land Acquisition Program - Open Order Contract No. RP98-0001, in the sum $7,500.00, for one parcel.
Account No. 2420-1402.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, a Contract for real estate relocation services with Relocation Consultants relating to the Watershed Land Acquisition Program - Open Order Contract No. RP98-0001.

3. Report of Concession Selection Committee, May 21, recommending award of food service concessions for five year periods - 1998, 1999, 2000, 2001 and 2002, at various MDC areas.
The Commission V O T E D: to award food service concessions for five year periods - 1998, 1999, 2000, 2001 and 2002, at various MDC areas, as follows -

LOCATION	VENDOR	COMPENSATION
Dilboy Field Area Somerville (excluding the stadium (Mobile Location)	Northeast Ice Cream, Inc. Sandra Gatta	20% of All Profit No Less Than $1,200.00 Per Season
		TOTAL - $6,000.00

LOCATION	VENDOR	COMPENSATION (CON.-)
Houghton's Pond Milton (Fixed Location)	Najjar Concessions, Inc. Sam Najjar	1998 - $ 5,000.00 1999 - $ 7,000.00 2000 - $10,000.00 2001 - $12,000.00 2002 - $16,000.00 **TOTAL** - $50,000.00
Lee Pool Boston (Fixed Location)	Corinne Ferullo	$540.00 Per Season **TOTAL** - $2,700.00
Constitution Beach East Boston (Fixed Location)	Boston Pushcart, Inc. Joseph Bono	$1,600.00 or 15% of of Gross sales whichever is Higher Per Season **MINIMUM** - $8,000.00

(Although Boston Snack Foods & Concessions and All In The Family Pushcart, the only other bidders for this location received higher total bid points, they both declined to be considered for award because they were being recommended for other locations. Therefore, the Committee recommended Boston Pushcart Inc., for award for this location).

Sandy Beach Winchester (Mobile Location)	Boston Snack Food & Concessions A. Maria Mahoney	$6,500.00 or 23% of Gross Revenues whichever is Greater Per Year **MINIMUM** - $32,500.00
Breakheart Reservation, Saugus (Mobile Location)	Boston Snack Food & Concessions A. Maria Mahoney	$6,500.00 or 23% of Gross Revenues - whichever is Greater Per Year **MINIMUM** - $32,500.00
Nahant Beach Nahant (Mobile & Pushcart)	Boston Pushcart, Inc. Joseph Bono	$12,875.00 Per Year or 20% of Gross Sales - whichever is Higher **MINIMUM** - $64,375.00
Nantasket Beach Hull (Fixed)	Tastefully Yours Catering George Silva	Year 1 - $10,500.00 Year 2 - $11,000.00 Year 3 - $11,500.00 Year 4 - $12,500.00 Year 5 - $12,500.00 **TOTAL** - $58,000.00
South Boston Beaches South Boston (2 Push Carts)	All In The Family Pushcart John D. Tirabassi	Year 1 - $ 5,500.00 Year 2 - $ 5,600.00 Year 3 - $ 5,700.00 Year 4 - $ 5,800.00 Year 5 - $ 5,900.00 **TOTAL** - $28,500.00.

The Commission further V O T E D: to authorize Secretary Chisholm to execute the Permits on behalf of the Commission.

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1. Report of Mrs. O'Brien and Mr. Corsi, May 21, requesting approval and execution of Amendment No. 1, for an extension of time from May 31, 1998 to June 30, 1999, on Contract-Agreement No. PL92-007-S1A, with Goody, Clancy & Associates, Inc., for Charles River Basin Mater Plan.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated May 28, 1998, on Contract-Agreement No. PL92-007-S1A, with Goody, Clancy & Associates, Inc., for Charles River Basin Mater Plan, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mrs. O'Brien, May 15, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment No. 2, for Task I, II, III and IV, at a cost of $259,478.00, and an extension of time from June 30, 1998 to December 31, 1999, on Contract No. PL95-038, with Comprehensive Environmental, Inc., for New Charles River Basin/North Point Park.
Account No. 2449-1002.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendment No. 2 on Contract No. PL95-038, with Comprehensive Environmental, Inc., for New Charles River Basin/North Point Park.

3. Report of Mr. Brown and Miss Rodriguez, May 26, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Service Contract with the YMCA of Greater Boston (Dorchester Family YMCA, Melrose YMCA, Lynn Family YMCA, Roxbury YMCA and South Boston Boys and Girls Club), for Lifeguard Training and Certification, to prepare young adults ages 16-21 to qualify and compete for seasonal lifeguard positions with the MDC. Cost not-to-exceed $42,000.00.
$11,780.00 for Dorchester Family YMCA
$ 7,263.00 for Lynn YMCA
$ 3,945.00 for Melrose YMCA
$ 9,510.00 for Roxbury YMCA
$ 9,270.00 for South Boston Boys and Girls Club
Time for Performance - completion by June 30, 1998.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Service Contract with the YMCA of Greater Boston (Dorchester Family YMCA, Melrose YMCA, Lynn Family YMCA, Roxbury YMCA and South Boston Boys and Girls Club), for Lifeguard Training and Certification.

Adjourned at 10:10 a.m., to meet on Thursday, June 4, 1998, at 9:00 a.m.

William F. Cronin
Secretary

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Record of the Three Thousand Eight Hundred and Fifty Second (3852nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 4, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on May 14, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Amendment No. 2, dated June 4, 1998, to Contract-Agreement No. WM94-003-D1A, with A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Sacco and Carrigan, May 22, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 5, for emergency structural steel repairs to the Woods Memorial Drawbridge, Everett, at a cost of $148,817.60, on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District. (Funding in the amount of $105,000.00 available in Account No. 2490-0017 and remaining funding will come from unused quantities in other items).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 5, on Contract No. P96-1863-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $148,817.60.

3. Report of Mr. Faucher and Ms. Pomorska, May 28, requesting approval of an extension of time from June 30, 1998 to August 31, 1998, due to changes in field conditions, on Contract No. P98-1929-C1A, with Coviello Electric and General Contracting Co., Inc., for Installation of Traffic Signal Systems, Day Boulevard at O & P Streets, South Boston.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to August 31, 1998, as requested by Mr. Faucher and Ms. Pomorska in their report of May 28, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, May 20, recommending approval of revisions in quantities on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, as follows -
Item No. 026-060 **$ 5,368.00**
Granite Frames at Ceramic Mosaic Insets

Item No. 028-020 **$12,078.00**
Stone Benches
Item No. 028-030 **$ 2,780.40**
Stone Columns
Total = $20,226.40

Account No. 2449-6033.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Kane, May 29, recommending approval of the action of Acting Director Faucher resulting in Extra Work Orders and a revision in quantities on the following items on Contract No. P97-1913-C1A, with Langton & Douglas Contracting, Inc., for Rehabilitation of the Historic Stables, Land Boulevard and O'Brien Highway, Cambridge -

EXTRA WORK ORDERS

Extra Work Order No. 2 $ 2,475.13
Demolish the Old Steel Boiler Located Outside the Building
Extra Work Order No. 3 $ 9,029.60
Demolish Old Soil Pipe and Install New Soil Pipe Service
Extra Work Order No. 4 $ 566.66
Install Window Trim on Magnum Windows
Extra Work Order No. 5 $ 523.29
Masonry Brick and Concrete Block Infill at the Basement Level Wall
Extra Work Order No. 6 $ 363.63
Relocation of Newly Installed Light Fixtures
Extra Work Order No. 7 $ 4,595.00
Revamping of Office
Extra Work Order No. 8 $ 1,000.00
Relocation of Handicap Bathroom Accessories

REVISION IN QUANTITY

Item No. 1 $ 2,025.00
Double Hung Sash Windows Item 08625-25
Total = $20,578.31

Account No. 2449-0003.
Messrs. Faucher, Brooks and Kane further request an extension of time from May 30, 1998 to July 14, 1998, due to the additional work.
The Commission V O T E D: to approve the action of Acting Director Faucher resulting in Extra Work Orders and a revision in quantities on Item No. 1, on Contract No. P97-1913-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $2,475.13.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $9,029.60.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $566.66.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $523.29.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $363.63.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $4,595.00.

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The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $1,000.00.
The Commission further V O T E D: to approve the Revision in Quantity, in the amount of $2,025.00.
The Commission further V O T E D: to approve an extension of time from May 30, 1998 to July 14, 1998, as recommended by Messrs. Faucher, Brooks and Kane in their report of May 29, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Abounaja, May 15, recommending approval of the following on Contract No. P95-1792-C1B, with Environmental Restoration, Inc., for Lead Paint Removal at Various MDC Facilities - revision in quantities on Item No. 003-003 - Crew Shift - $35,000.00, to cover the volume of work encountered at various MDC Swimming Pools and facilities.
Messrs. Faucher, Brooks and Abounaja, further request an extension of time from May 25, 1998 to December 31, 1998, to complete the remaining work at these facilities.
The Commission V O T E D: to approve the Revision in Quantity, in the amount of $35,000.00.
The Commission further V O T E D: to approve an extension of time from May 25, 1998 to December 31, 1998, as recommended by Messrs. Faucher, Brooks and Abounaja in their report of May 15, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Haider, May 18, requesting approval of Work Schedule, Project Summary,Project Justification and authorization to advertise Project No. P98-1965-M1A, for Service to Hydraulic Systems at Various Flood Control and Navigational Sites.
Estimated Cost - $49,000.00.
Time for Performance - One Year.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1965-M1A, for Service to Hydraulic Systems at Various Flood Control and Navigational Sites.

3. Report of Messrs. Faucher, Brooks and Mayhew, May 20, recommending approval of Extra Work Order No. 3, for -

1. Clearing of two sections of heavily brushed areas in Waltham to create scenic river vistas	$ 860.77
2. Rebuilding a twenty (20) foot section of channel wall and clear and grub the Ames Parking lot portion of the project.	$2,751.47
Total =	$3,612.24

on Contract No. PL92-017-C2A, for Upper Charles River Restoration - Phase 1B, with D & C Construction Company, Incorporated.

Account No. 2490-0017.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $3,612.34.

1. Report of Messrs. Faucher, Brooks and Mayhew, May 21, recommending approval of Extra Work Order No. 4, for -

1.	Installing drainage across the new MDC Park at the Ames Department Store parking lot.	$2,103.32
2.	Clearing six (6) additional scenic vistas at the river's edge in Newton	$2,191.45
	Total =	$4,294.77

on Contract No. PL92-017-C2A, for Upper Charles River Restoration - Phase 1B, with D & C Construction Company, Incorporated.
Account No. 2490-0017.
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $4,294.77.

2. Report of Messrs. Faucher, Brooks and Park, May 22, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities as follows on Contract No. P98-1946-C1A, with Prime Coatings, Inc., for Sandblasting and Painting Pool: Waltham, Chelsea, Somerville (Dilboy) and Melrose -

Item No. 001-010	- Sandblasting	- $20,363.25
Item No. 001-020	- Shotcrete	- $ 5,000.00
Item No. 001-030	- Concrete Patching	+ $18,000.00
Item No. 001-040	- Caulking	+ $88,000.00
Item No. 001-050	- Painting	- $16,969.38
	Total Cost =	$63,667.37

Account No. 2440-8952.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Jackson, May 11, recommending approval of revisions in quantities as follows on Contract No. P92-1628-C6A, with Northern Tree Service, Inc., for 1997 Parkway Landscape Improvements -

Item No. 000-018	- Additional Plantings	- $ 6,415.00
Item No. 000-026	- Loam	- $ 4,350.00
Item No. 000-022	- Tree Removal 3"- 6"	- $ 1,375.00
Item No. 000-025	- Tree Removal 24"+	- $ 8,450.00
	Total =	$20,590.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 000-023 - Tree Removals 6" - 12", 000-004 - Watering, 000-024 - Tree Removals 12" - 24", 000-027 - Traffic Allowance and 777-020 - Extra Work Order No. 2.
The Commission V O T E D: Approved."

4. Report of Messrs. Faucher and Jackson, May 21, requesting approval of Extra Work Order No. 1, for removal of sub-surface cement concrete foundation and reworking a section of granite curbing, at a cost of $1,000.00, on Contract No. P97-1917-C1A, with West Princeton Corporation, for Interpretive Plaza at Don Kent Park.
(At no increase in Contract cost).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $1,000.00.

1. Report of Messrs. Faucher and Jackson, May 22, requesting approval of Extra Work Order No. 1, for work necessary to achieve the revised grading plan, at a cost of $4,602.50, on Contract No. P97-1870-C5A, with D & R General Contracting/MDR Construction Co., Inc., for Playground Construction at Pearce Lake, Saugus. Account No. 2440-8952.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $4,602.50.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn and Ms. Crocker, May 29, recommending approval of an Amendment to Contract-Agreement No. WM97-091-X1A, between the MDC and Worcester County Conservation District which funds Tristan Lundgren as a Research Analyst, to work on Phase II of the Pure Water Stewardship Committee and increases his compensation from $10.21 per hour to $14.73 per hour - for a total of $26,514.00.
Time for Performance - one year, beginning on July 1, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Mr. Brown, April 6, on behalf of an Administrative Hearing Committee recommending that the Commission assess a financial sanction against G.V.W., Inc., in the amount of $40,000.00, for non-compliance with the MBE/WBE contract provisions, on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
The Commission V O T E D: Held Over.

4. Report of Mr. Jewett, May 26, requesting approval of Amendment to Contract-Agreement with George S. Norton, Esq., for Professional Real Estate Title Services - Open Order No. RP98-0002, which was approved by the Commission at its Meeting of December 11, 1997, by increasing compensation from $11,445.00 to $12,030.00 for Real Estate Title Services of an additional parcel of land.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Account No. 2420-1402.
The Commission V O T E D: approved as requested by Mr. Jewett in his report of May 26, 1998.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

5. Report of Mr. Broderick, June 2, requesting that the Commission designate Lt. John O'Donnell, Commander of the MDC Park Ranger Marine Unit, as the MDC Harbormaster.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, June 1, recommending that the Commission adopt an order of taking for acquisition of approximately 112 acres of land owned by S. Joseph Eckert, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $575,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an order of taking for acquisition of approximately 112 acres of land owned by S. Joseph Eckert, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 4, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land comprising the unreserved remaining portions of two adjoining large tracts of land in the westerly part of the Town of Sterling, being most of "Spring Hill Farm", lying on the southerly side of the county road leading from Sterling to Princeton, now known as Princeton Road-Route 62, more particularly bounded and described as follows:

Beginning at a point in the 1931 Worcester County Highway Record Layout of Princeton Road-Route 62, at the northeasterly corner of land, now or formerly, of Donald W. Harding, shown as Lot "1" upon a plan recorded with Worcester District Registry of Deeds as Plan 116, in Plan Book 703, more definitively identified below at the conclusion of this description (see also Book 13822, Page 80), said point being located N. 84° 12′ 52" E., 122.41

feet from a Worcester County Highway bound found on the frontage of said abutting land;

Thence S. 84° 12′ 52" E., 211.45 feet, by the southerly record layout line of Princeton Road-Route 62, to the northwesternmost point of LOT # 2, other property, now or formerly, of S. Joseph Eckert, specifically reserved to said owner, his heirs and assigns, and excluded from this taking, said LOT # 2 being shown upon a plan recorded with said Deeds as Plan 84 in Plan Book 727, more definitively identified below;

Thence S. 63° 22′ 56" E., 118.14 feet, to an iron rod found and held, at an angle in the line;

Thence S. 01° 22′ 35" E., 442.79 feet, to a stake with nail found and held, near the existing dwelling located at #146 Princeton Road;

Thence N. 82° 24′ 22" E., 45.82 feet, to another stake with nail, at a corner, found and held;

Thence S. 06° 27′ 45" W., 271.05 feet, to another stake with nail, at another corner, found and held;

Thence S. 71° 00′ 58" E., 269.03 feet, to another stake with nail found and held;

Thence S. 67° 45′ 23" E., 185.23 feet, to an iron rod, at the westerly end of a stone wall, found and held;

Thence N. 85° 35′ 32" E., 270.58 feet, by the stone wall and LOT # 2, to a drill hole found and held, in a corner of walls, at land, formerly of Jedediah Kidder, later of Wilfred J. Allen, late of David P. Mercurio, and, now or formerly, of Steven W. & Barbara D. Miles, shown upon a plan recorded with said Deeds as Plan 79 in Plan Book 349, more definitively identified below (see abutters description in said Deeds, Book 7927, Page 257), the last seven courses being by LOT # 2, other land, now or formerly of S. Joseph Eckert, as shown upon the survey plan cited above;

Thence S. 09° 43′ 33" E., 25.92 feet, by the stone wall, to a drill hole at a point therein, at a fence line;

Thence S. 00° 16′ 39" W., 451.55 feet, by the fence line, to a point in a corner, at a stone wall;

Thence S. 89° 37′ 23" E., 403.30 feet, by the stone wall, to a point therein;

Thence N. 88° 49′ 25" E., 112.41 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 87° 58′ 24" E., 30.115 feet, by the stone wall, to a drill hole in a corner of walls, at land, formerly of Josiah Phelps, later of Jacob Ciborowski, then of Monadnock Realty Corporation, and now or formerly, of Henry J. Ciborowski (see abutters description in Book 5280 Page 1, Tracts 1 & 3), the last five courses being by land, now or formerly, of S.W.& B.D. Miles, as shown upon the last cited survey plan;

Thence S. 3° E., about 88.5 rods, or 1460.25 feet, more or less, to a point in a stone wall at the southeasterly corner of the property herein being described, at land, formerly of Daniel Davis, later of Jacob Ciborowski, then of Monadnock Realty Corporation, and now or formerly, of Henry J. Ciborowski;

Thence N. 86° W., 96 rods and 10 links, or 1590.6 feet, more or less, by other land, now or formerly, of H.J. Ciborowski, and the stone wall, to a point at the remains of a stake and stones (see abutters description in Book 5258, Page 412, Tract III);

Thence N. 86° 30′ W., 76 rods, or 1254 feet, more or less, by land, now or formerly, of H.J. Ciborowski, and by the stone wall, to a point in a corner of walls;

Thence N. 78° W., about 15 rods and 15 links, or 257.4 feet, more or less, by land, now or formerly, of H.J. Ciborowski, and by the stone wall, to a drill hole set in another wall corner, at land, formerly of Mark Bruce, later of Bigelow Nurseries, Inc., and now of the Commonwealth of Massachusetts, Metropolitan District Commission, as shown upon a plan entitled "Land Taking Plan for Watershed Protection Sterling (Worcester County) Mass. Commonwealth of Massachusetts Division of Watershed Management Taking from Bigelow

Nurseries, Inc.", dated June 21, 1993, prepared by Land Planning Engineering & Survey, Bernard E. Munro, Sr., R.P.L.S., which plan is on file with the Real Property Office of the MDC at 20 Somerset Street, Boston, MA (see Order of Taking recorded with said Deeds at Book 17117, Page 399);

Thence N. 10° 09′ 31" E., 314.84 feet, by the stone wall, crossing a cart path running through a gap in the wall and continuing to a drill dole set at a point therein;

Thence N. 12° 33′ 58" E., 656.79 feet, by the stone wall, to a drill hole set in a corner of walls, at land formerly of Luther Lester, later of Ralph E. Magee, and, now or formerly, of Richard J. & Elizabeth L. Furmanick (see abutters description in Book 4519, Page 259), the last two courses being by land of the Commonwealth of Massachusetts, MDC;

Thence N. 78° 09′ 48" E., 732.33 feet, by the stone wall and land, now or formerly, of R.J.& E.L.Furmanick, to a drill hole set in a corner of stone walls, as shown on a plan recorded with said Deeds as Plan 97 in Plan Book 666, said plan being more definitively identified below at the conclusion of this description;

Thence N. 7° 30′ W., about 24 rods and 5 links, or 399.3 feet, more or less, by the stone wall and land, now or formerly, of R.J.& E.L. Furmanick, to another drill hole set in a corner of walls;

Thence N. 79° 35′ 20" E., 398.66 feet, by the stone wall, partially by land, now or formerly, of R.J.& E.L. Furmanick, and partially by land, formerly of R.J.& E.L. Furmanick, now or formerly, of Raymond T. & Elizabeth L. Pekkola (see abutters description in Deed Book 14242, Page 363) as shown as PARCEL "A" upon a plan recorded with said Deeds as Plan 20 in Plan Book 659, more definitively identified below at the conclusion of this description, to a drill hole in a wall corner at the southeasterly corner of PARCEL "A", and the southwesterly corner of land, now or formerly, of Donald W. Harding, shown as PARCEL "A" upon a plan

recorded with said Deeds as Plan 116 in Plan Book 703, more definitively identified below at the conclusion of this description (see abutters description in Book 17913, Page 59);

Thence N. 77° 13′ 16" E., 351.92 feet, by land, now or formerly, of D.W. Harding and the stone wall, to a point therein;

Thence N. 79° 01′ 52" E., 232.82 feet, by PARCEL "A" and the stone wall, to a drill hole in a wall corner, being the southeasterly corner of said abutting parcel;

Thence N. 00° 59′ 18" E., 771.65 feet, by land, now or formerly, of D.W. Harding and the stone wall, to a drill hole therein marking the northeasterly corner of PARCEL "A", said drill hole lying about 10 feet south of the southerly record layout line of Princeton Road-Route 62;

Thence S. 84° 12′ 50" W., 91.94 feet, by PARCEL "A", running parallel to the southerly line of the highway, to a point in the easterly line of other land, now or formerly, of Donald W. Harding, shown as LOT "1" upon a plan recorded with said Deeds as Plan 116 in Plan Book 703, being the plan and abutting parcel first cited above, and referenced below;

Thence N. 00° 45′ 12" W., 10.04 feet, by the easterly line of LOT "1", to the first mentioned point in the southerly layout line of Princeton Road-Route 62, being the point and place of beginning.

Containing 112 acres, more or less, by estimate, based upon prior deed description of the locus parcels and upon deeds and plans of lots conveyed from and reserved from them.

There is no known recorded or unrecorded perimeter plan of either original parcel comprising "Spring Hill Farm."

The Commission does hereby expressly reserve to the supposed owner, S. Joseph Eckert, so long as he resides upon the land herein reserved to him, or any portion thereof, being LOT # 2, as referenced above, the right to maintain the existing viewscape of the residence at # 146 Princeton Road, by

mowing the pasture land herein taken, lying between LOT # 2 and the land, now or formally, of Donald W. Harding, shown as PARCEL "A" upon Plan 116 in Plan Book 703, and by the removal of woody vegetation therefrom; provided, however that no vegetation within 25 feet of either stream flowing across said land shall be mowed. (See the areas marked "A" upon the SKETCH PLAN appended hereto labeled EXHIBIT A for the location of said stream buffers, and a generalized depiction of the viewscape across the pastureland referenced.) Woody plants within this 25 foot stream buffer may be cut. No tilling, grazing, seeding or fertilization may be performed upon this viewscape. (Areas marked "B" upon the EXHIBIT A SKETCH PLAN are subject to unrestricted cutting and mowing.)

Also taken herein and hereby is an access easement across the adjoining land, now or formerly, of Richard J. & Elizabeth L. Furmanick, running from Princeton Road-Route 62 to the northerly line of the above described premises, as shown upon the plan recorded with said Deeds as Plan 97 in Plan Book 666, more fully identified below, and as described in a deed from R.J.& E.L. Furmanick to S. Joseph Eckert, dated December 1, 1992, and recorded with said Deeds in Book 14857, Page 279.

In addition to the above referenced unrecorded survey plan on file with the Real Property Office of the MDC, the following are the plans cited above, in the order in which they appear:

1) A plan entitled "Plan of Property Surveyed for Donald W. Harding Princeton Road (Route 62) Sterling, Massachusetts", dated 02/28/96, prepared by Central Mass. Land Survey, R.F. Dombrowski, R.L.S., which plan is recorded with said Deeds as Plan 116 in Plan Book 703.

2) A Plan entitled "Plan of Land In Sterling, Massachusetts Prepared for Joseph Eckert 146 Princeton Road Sterling, Mass.", dated April 28, 1998, prepared by Daniel A. O'Driscoll, P.L.S., which plan is recorded with said Deeds as Plan 84 in plan Book 727.

3) A Plan entitled "Plan of Land In Sterling Mass. Owned by Rolling Greens Realty Trust", dated January 28, 1971, prepared by Highland Land Surveyors, Inc., John D. Costedio, R.L.S., which plan is recorded with said Deeds as Plan 79 in Plan Book 349.

4) A plan entitled "Plan of Property Surveyed For Richard J. & Elizabeth I. Furmanick Princeton Road Sterling, Massachusetts", dated 10/05/91, prepared by Central Mass. Land Survey, Inc., R.F. Dombrowski, P.L.S., which plan is recorded with said Deeds as Plan 97 in Plan Book 666.

5) A plan entitled "Plan of Property Surveyed for Richard J. & Elizabeth L. Furmanick Princeton Road Route 62 Sterling Massachusetts", dated 10/17/91, prepared by Central Mass. Land Survey, Inc., R.F. Dombrowski, P.L.S., which plan is recorded with said Deeds as Plan 20 in Plan Book 659.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Princeton Road-Route 62, which may be held by the supposed owner as a result of his ownership of the above described premises, and being most of the same premises described in two deeds, the first from Spring Hill Farm, Inc. to Stanley Eckert, dated January 8, 1974 and recorded with said Deeds in Book 5421, Page 94, and the second, from Marion and Stanley Eckert to Stanley Eckert, dated July 9, 1973 and recorded with said Deeds in Book 5378, Page 309. (See also Probate of the Estate of Stanley Eckert, Worcester Probate Case No. 86P2193-E1.)

The above described property is represented upon Sterling Assessors Tax Map 49 as the larger and rear portion of Parcel 3, and the larger portion, including a part of the frontage, of Parcel 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

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The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
S. Joseph Eckert	$ 575,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $575,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 1, recommending that the Commission adopt an order of taking for acquisition of approximately 30.0125 acres of land owned by James H. Strang, III, et als, located in the Towns of Sterling and West Boylston, Massachusetts, and to approve an award of damages in the amount of $60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402. The Commission V O T E D: to adopt an order of taking for acquisition of approximately 30.0125 acres of land owned by James H. Strang, III, et als, located in the Towns of Sterling and West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 4, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling and West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land, comprised of three contiguous tracts, lying on the southwesterly side of the former discontinued road from West Boylston to Sterling Junction, lying mostly within the said Town of Sterling, but partially also within the said Town of West Boylston, more particularly bounded and described, as follows:

Beginning, in the said Town of Sterling, at the northeasterly corner of the parcel being described, at a point on the southwesterly line of the aforementioned discontinued road, at land, formerly of Sumner Fairbanks, now or formerly, of the New England Power Company;

Thence S. 82° W., 68 Rods and 9 Links, or 1127.94 feet, more or less, to a point at a pile of stones, which once surrounded a chestnut stump;

Thence S. 65° W., 5 Rods and 12 Links, or 90.42 feet, more or less, to a stake and stones;

Thence S. 72° E., 12 Rods and 6 Links, or 201.96 feet, more or less, to a pile of stones which once surrounded a chestnut stump;

Thence S. 61° W., 25 Rods, or 412.5 feet, more or less, to a stake and stones and a corner of land, formerly of Aaron Winter;

Thence S. 60° W., 3 Rods and 10 Links, or 56.1 feet, more or less, to a stake and stones at the northwesterly corner of land, formerly of Silas P. Bruce, reportedly, now or formerly, of John Navarolli, the last five courses being by land, now or formerly, of the New England Power Company;

Thence S. 32° E., 9 Rods and 2 Links, or 149.82 feet, more or less, by the land formerly of Silas P. Bruce, to a stake and stones, at the northeasterly corner thereof;

Thence S. 64° W., 16 Rods and 20 Links, or 277.2 feet, more or less, by land formerly of Silas P. Bruce, crossing the Corporate Line from Sterling into West Boylston, to a stake and stones, at the southeasterly corner of land, formerly of Silas P. Bruce, being a point in the northeasterly line of land, formerly of Lucy Taylor, later of Jennie E. Goodnow, and, now or formerly, of Walter R. Rotti;

Thence S. 31° 30′ E., 33 Rods and 19 Links, or 557.04 feet, more or less, by land, now or formerly, of Walter R. Rotti, to a stake and stones at land formerly of Lidid Davenport, later of H. Prentice Kendall, and, now or formerly, of Salvatore H. & Anne M. Bello;

Thence N. 76° 30′ E., 17 Rods and 22 Links, or 295.02 feet, more or less, by land, now or formerly, of S. H. & A. M. Bello, to a stake and stones;

Thence N. 71° E., 3 Rods and 20 Links, or 62.7 feet, more or less, by land, formerly of Lilid Davenport, now or formerly, of S. H. & A. M. Bello, to a stake and stones;

Thence S. 34° E., 2 Rods and 2.5 links, or 34.65 feet, more or less, to a stake and stones;

Thence N. 76° 30′ E., 27 Rods and 15 Links, or 455.4 feet, more or less, partially by land formerly of Harrison Fairbanks and partially by land formerly of Aaron Taylor, both, now or formerly, land of S. H. & A. M. Bello, recrossing the Corporate Line from West Boylston into Sterling, and running to a stake and stones at a corner of land, formerly of S. P. Bruce, now or formerly, of Joseph A. & Theresa R. Giobellina;

Thence N. 61° 45′ E., 19 Rods and 2 Links, or 314.82 feet, more or less, by land, formerly of S. P. Bruce, now or formerly, of J. A. & T. R. Giobellina, to a stake and stones, at land, formerly of Ezra B. Newton, now or formerly, of one DiPietro;

Thence N. 30° 30′ E., 39 Rods, or 643.5 feet, more or less, by land, formerly of E. B. Newton, now or formerly, of one DiPietro, to stones where a White Oak tree once stood on the westerly side of the former road from West Boylston to Sterling;

Thence Northwesterly by the southwesterly line of the former road, 22 Rods and 5 Links, or 366.3 feet, more or less, to the point and place of beginning.

Containing 30.0125 acres, more or less, as shown as Lot 1-A, Lot 1-B, and Lot 2 upon a plan entitled "Plan of land belonging to William H. Moore in West Boylston, made from deed descriptions", dated September 20, 1901, prepared by O. Willis Rugg, Civil Engineer, and recorded with Worcester District Registry of Deeds as Plan 40 in Plan Book 115.

Also relied upon in the construction of the above description are Sheets 26, 27, 46, and 47 of a set of plans entitled "Commonwealth of Massachusetts, Metropolitan Water Works, Wachusett Reservoir-Land Surveys", dated 1898, copies of which are on file both at the Real Property Office, 20 Somerset Street, Boston Massachusetts, and at the Wachusett Headquarters of the Division of Watershed Management, Clinton, Massachusetts, both of the Metropolitan District Commission.

See also a plan entitled "Plan of Land In West Boylston & Sterling, Mass Surveyed for DiPietro Trustees, dated August 17, 1976, prepared by Rogers Co., Clinton, Mass, and recorded with said Deeds as Plan 30 in Plan Book 492.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in the former road from West Boylston to Sterling which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from J. Hubert Strang, Jr., James Hubert Strang, III, Donald E. Strang, and Sandra E. Jones to Donald E. Strang, James H. Strang, III, and Sandra S. Jones, dated September 26, 1983 and recorded with Worcester District Registry of Deeds in Book 12739, Page 40.

The above described property is represented upon Sterling Assessors Tax Map 27 as Parcels 2 and 3A, and upon West Boylston Tax Map 111 as Parcel 26.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Donald E. Strang, James H. Strang, III and Sandra S. Jones	$ 60,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 1, recommending that the Commission adopt an order of taking for acquisition of approximately 32 acres of land owned by Patricia N. Armstrong, et als, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $32,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an order of taking for acquisition of approximately 32 acres of land owned by Patricia N. Armstrong, et als, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 4, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain adjoining tracts or parcels of land located in the northwesterly part of the Town of West Boylston lying off of the northerly side of Laurel Street, at and near the corner formed by the West Boylston-Holden Corporate Line, more particularly bounded and described as follows:

TRACT 1:

A certain tract or parcel of land situated in the northwesterly corner of the Town of West Boylston, containing 16 acres and 63 square rods, more or less, by previous deed description, being land, formerly of Emery A. Bacon, later of Lucy H. Turner, late of Nathaniel A. & the late Ellen B. Nash, and now or formerly, of Patricia N. & Robert K. Armstrong, and of Maija N. & Edmund S. Hibbard, more particularly bounded and described as follows:

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Beginning at a stake and stones in the northwesterly corner of TRACT 1, said corner being also a corner in TRACT 2, described below, land, formerly of Samuel Mason, later of the heirs of Caroline Harrington, then of Carrie B. Keyes, and late of Nathaniel A. & Ellen B. Nash;

Thence S. 81° E., 53 rods, or 874.5 feet, more or less, partially by TRACT 2, as described below, and partially by land, known as the "Partridge Lot", formerly of E. Broad, later of Mary A. Goodale, then of S. Lefie Richardson, later of the Town of West Boylston, and most recently of members of the Meola Family, now or formerly, of James Meola (see the deed dated 11/29/1983 recorded with said Deeds in Book 8048, Page 390), to a stake and stones at the northeasterly corner, and land known as the "Blood Lot", other land formerly of Mary A. Goodale, later conveyed by Mason W. Goodale et als to Rosario Mercurio, and now or formerly, of David P. & John D. Mercurio (see deed dated 10/3/1992 recorded with said Deeds in Book 14716, Page 42);

Thence S. 8° 20′ W., 50 rods, or 825 feet, more or less, by the "Blood Lot", to a stake and stones at the southeasterly corner, at land, formerly of Anna E. Russell, then of Henry E. Dean, later of the Town of West Boylston, then of James F. Leslie, later of Charles M. Merrill, then of Arvid Peterson, late of Chester E. Peterson, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 2/8/1996 recorded with said Deeds in Book 17730, Page 376);

Thence Westerly, 53 rods, or 874.5 feet, more or less, by land, now of the Commonwealth of Massachusetts, MDC, to an iron rod set in a pile of stones, at the southwesterly corner of TRACT 1, being a point in the easterly line of TRACT 2;

Thence N. 8° E., 49 rods, or 808.5 feet, more or less, by TRACT 2, to the stake and stones first mentioned at the northwesterly corner, being the point and place of beginning.

Containing, as aforesaid, 16 acres and 63 square rods, or 16.39 acres, more or less, by previous deed description.

TRACT 2:

A certain tract or parcel of land in the northwesterly corner of the Town of West Boylston, lying off of the northerly side of Laurel Street and abutting the West Boylston-Holden Corporate Line on its northerly and southwesterly sides, containing about 11.25 acres, more or less, by previous deed description, and being the West Boylston portion of the "Harrington Lot" and the West Boylston portion of the lot known as the "Slave Lot", "Negro Lot", etc., being land, formerly of Samuel Mason, later of the heirs of Caroline Harrington, conveyed by Lucy H. Turner to Nathaniel A. Nash et ux, and now or formerly, of Patricia N. & Robert K. Armstrong, and of Maija N. & Edmund S. Hibbard, more particularly bounded and described as follows:

Beginning at a point in the West Boylston-Holden Corporate line, at a point in a stone wall, at the northwesterly corner of land, in West Boylston, formerly known as the "Partridge Lot" being land, now or formerly, of James Meola;

Thence S. 9° W., 465 feet, by the stone wall and land, now or formerly, of James Meola, to a point in the northerly line of TRACT 1, as described above;

Thence N. 81° W., 235 feet, by TRACT 1, to a stake and stones at the northwesterly corner of TRACT 1;

Thence S. 8° 20′ W., about 1617 feet, more or less, by the westerly line of TRACT 1 and the westerly line of land, late of C.H. Peterson, now of the Commonwealth of Massachusetts, MDC, to a point in the West Boylston-Holden Corporate Line, at a point in the northerly line of land, in West Boylston and Holden, formerly of William Welsh, conveyed by George R. Stobbs, Executor, to Mary E. Geoffrion, later of Wilbur B. & Viola K. Bridgman, and now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Environmental Law Enforcement, (see deed dated 11/6/1988 and recorded with said Deeds in Book 12120, Page 361) and at land, in Holden, now or formerly, of the White Oak Land Conservation Society, Inc. (For the description of the lands, now or formerly, of the White Oak Land Conservation Society, Inc., see deed dated 12/23/80, recorded with said Deeds at

Book 7156, Page 314, and deed dated 11/25/81, recorded with said Deeds in Book 7381, page 125);

Thence Northwesterly, about 2250 feet, more or less, by the West Boylston-Holden Corporate Line, to a granite stone bound at a corner in said line;

Thence Southeasterly, about 900 feet, more or less, by the West Boylston-Holden Corporate Line, to the first mentioned point at land, now or formerly, of Meola, being the point and place of beginning, the last two courses being by land, in Holden, now or formerly, of the White Oak Land Conservation Society, Inc.

Containing, as aforesaid, about 11.25 acres, more or less, by previous deed description, but 16 acres, more or less, by estimate, based upon computer calculations, ariel photo interpretation and computations shown upon West Boylston Assessors Plans.

The total area of TRACT 1 and TRACT 2, as above described, and intended to be taken herein and hereby, is calculated to be 32.39 acres, more or less.

There are no known recorded or unrecorded survey plans of the above described tracts or parcels.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Nathaniel A. Nash to Patricia N. Armstrong & Robert K. Armstrong, and Maija N. Hubbard & Edmund S. Hubbard, granting a one-half undivided interest to each couple, dated 13th April 1998 and recorded with Worcester District Registry of Deeds on 13 April 1998 as Instrument # 47459, recorded at Book 19819, Page 201.

The above described property is represented upon West Boylston Assessors Tax Map 105 as Parcels 1 and 2 (in the same order as referred to above).

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS		AWARD
Patricia N. Armstrong and Robert K. Armstrong	[1/2 interest]	$ 16,000.00
Maija N. Hibbard and Edmund S. Hibbard	[1/2 interest]	$ 16,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $32,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 1, recommending that the Commission adopt an order of taking for acquisition of approximately 3.45 acres of land owned by Wesley W. Gates and Barbara L. Gates, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $72,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an order of taking for acquisition of approximately 3.45 acres of land owned by Wesley W. Gates and Barbara L. Gates, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 4, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on Esty Road Extention II, in the said Town of Princeton, at the Princeton-Holden Corporate Line, shown as Lot 3A on a recorded survey plan referenced at the conclusion of this description, more particularly bounded and described as follows:

Beginning at the southeasterly corner of Lot 3A at a point on the Princeton-Holden Corporate Line at a stone wall delineating the property being described from land formerly of Ford et al, now of the Commonwealth of Massachusetts, Metropolitan District Commission, and at land, in Holden, now or formerly, of one Thompson;

Thence N. 45° 27′ 02" W., 303.52 feet by the wall, to a point at Lot 2, other land, now or formerly of Wesley W. & Barbara L. Gates;

Thence N. 44° 32′ 58" E., 502.06 feet, by the southeasterly line of Lot 2, to a point on the cul-de-sac forming the terminus of Esty Road Extention II;

Thence Southeasterly by the cul-de-sac along curve to the right with a radius of 60.00 feet, an arc distance of 175.05 feet to a point;

Themce Northeasterly by Esty Road Extention II and a curve to the left, with a radius of 40.40 feet, an arc distance of 30.00 feet, to a point;

Thence N. 40° 18′ 36" E., 9.55 feet, by the southeasterly line of the road extention, to a point at Lot 4, other land, now or formerly, of Gates;

Thence S. 11° 18′ 45" E., 125.00 feet, to a point at Lot A, other land, now or formerly, of Gates, paralleling the 30 foot wide right of way running from Esty Road Extention II to land, now or formerly, of Thompson, which runs across Lot 4;

Thence S. 36° 45′ 43" W., 160.30 feet, to a point at the northwesterly end of a stone wall;

Thence S. 48° 47′ 38" E., 203.41 feet, to a point at an angle in the wall;

Thence S. 34° 56′ 06" E., 28.43 feet, to a point on the Princeton-Holden Corporate Line, the last three courses being by Lot A, other land, now or formerly, of Gates;

Thence S. 48° 37′ 05" W., 436.62 feet, by the Corporate Line, to the point at the stone wall first mentioned, being the point and place of beginning.

Containing 150,479 square feet, more or less, or 3.454 acres, more or less, as shown as Lot 3A, upon a recorded survey plan entitled "Plan Of Land In Princeton, Mass. Prepared For Wesley W. Gates", dated February 20, 1996, prepared by Andrysick Land Surveying, Inc., and recorded with said Deeds as Plan 25 in Plan Book 702.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Esty Road Extention II which may be held by the supposed owners, as a result of their ownership of the above described property, and being the southerly portion of the same premises described in a deed from Alice A. Harrington Gates to Wesley W. Gates and Barbara L. Gates, dated February 17, 1960 and recorded with Worcester District Registry of Deeds in Book 4091, Page 575.

The above described property is represented upon Princeton Assessors Tax Map 13 as most of Parcel 48-6.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Wesley W. Gates and Barbara L. Gates	$ 72,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $72,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 1, recommending that the Commission adopt an order of taking for acquisition of approximately 8.764 acres of land owned by W. Arthur Whitcomb and Merle Whitcomb, Trustees of the Whitcomb Family Trust, and/or the Trust for Public Land, located in the Town of Dedham, Massachusetts, and to approve an award of damages in the amount of $650,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8960.

The Commission V O T E D: to adopt an order of taking for acquisition of approximately 8.764 acres of land owned by W. Arthur Whitcomb and Merle Whitcomb, Trustees of the Whitcomb Family Trust, and/or the Trust for Public Land, located in the Town of Dedham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 4, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Dedham in the County of Norfolk and Commonwealth of Massachusetts, namely:

Seven certain subdivided house lots on the easterly side of Common Street and on the easterly and westerly sides of Whitcomb Road, most of the "frontage" on said road being upon unbuilt sections thereof, and being a portion of the "Karlstein" Subdivision, later "Charles River Commons," more particularly bounded and described as follows:

<u>Lot 3A</u>

A certain lot of land, comprising 66,415 square feet, or 1.525 acres, more or less, on the easterly side of Common Street, shown as Lot 3A upon a plan entitled "Plan of Land Located In Dedham, MA. Prepared For John M., W. Arthur & Merle Whitcomb", dated May 25, 1994, prepared by Christiansen & Sergi, Professional Engineers & Land Surveyors, Michael J. Sergi, R.P.L.S., which plan is recorded with Norfolk County Registry of Deeds as Plan No. 375 of 1994 in Plan Book 422.

Said Lot 3A is bounded generally by Common Street on the West, by Lot A, other land, now or formerly, of Whitcomb, on the North, by Lot 10, other land, formerly of the Whitcomb Family Realty Trust, now of the Trust For Public Land, on the East (see deed reference below), and by Lot 5A, other land, formerly of Whitcomb, now or formerly, of Astra Grinbergs, on the South (see deed recorded with Norfolk County Registry of Deeds in Book 10587, Page 218).

Lots 8 & 9

Two certain contiguous lots of land, together comprising 124,780 square feet, or 2.865 acres, more or less, on the easterly side of an unbuilt portion of Whitcomb Road, shown as Lot 8 & Lot 9 upon a plan entitled "Definitive Subdivision Plan 'Karlstein' Dedham, MA. Owner & Applicant John M., W. Arthur & Merle Whitcomb Common Street, Dedham, MA ", Sheet 5 Of 14, dated October 1, 1992, revised 1/25/93 and 2/8/93, prepared by Christiansen & Sergi, Professional Engineers & Surveyors, Michael J. Sergi, R.P.L.S., which plan is recorded with said Deeds as Plan No. 147 of 1993 in Plan Book 147.

Said Lots 8 & 9 are bounded generally by Lot 25, other land, now or formerly, of Whitcomb, on the North and East, by Lot 7, other land, formerly, of Whitcomb, later of the Trust For Public Land, and now of the Commonwealth of Massachusetts, Metropolitan District Commission, on the South (see order of taking dated 9/16/93 recorded with said Deeds in Book 10124, Page 10), and by the curving easterly layout line of the proposed but unbuilt portion of Whitcomb Road on the West.

Lots 10, 11, 12, & 13

Four contiguous lots of land, together comprising, 190,552 square feet, or 4.374 acres, more or less, on the southerly side of that portion of Whitcomb Road which is actually a traveled way, but bounded for the most part by the curving westerly layout line of that portion of the road which is proposed but unbuilt, shown as Lots 10, 11, 12, & 13 upon a plan entitled "Definitive Subdivision Plan 'Karlstein' In Dedham, MA. Owner & Applicant John M., W. Arthur, & Merle Whitcomb Common Street, Dedham, MA", Sheet 2 Of 14, dated October 1, 1992, revised 1/25/93, 2/8/93 and 2/25/93, prepared by Christiansen & Sergi Professional Engineers & Surveyors, Michael J. Sergi, R.P.L.S., which plan is recorded with said Deeds as Plan No. 147 of 1993 in Plan Book 412.

Said Lots 10,11,12, & 13 are bounded generally, on the North by that portion of Whitcomb Road which was constructed and is a traveled way, on the Northeast, East, Southeast and South by the curving westerly layout line of the portion of Whitcomb Road as yet unbuilt and existing only on the plans cited above, and on the West, by three adjoining lots, by Lot 5A, land, now or formerly, of A. Grinbergs, by Lot 3A, as described above, and by Lot A, other land, now or formerly, of Whitcomb.

The three parcels, comprising the seven lots above described, contain a total of 381,747 square feet, more or less, or 8.7637 acres, more or less, exclusive of any part of the unbuilt portion of Whitcomb Road which may revert to the Commonwealth of Massachusetts, Metropolitan District Commission, as a result of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Common Street, and/or the constructed or unconstructed sections of Whitcomb Road which may be held by the supposed owner, as a result of its ownership of the above described property, and being a portion of the same premises described in two deeds, the first (for Lots 8, 9 & 3A) from Merle Whitcomb, John Whitcomb, and W. Arthur Whitcomb to G. William McLaughlin and the Boston Safe Deposit Trust Company, as Trustees of the Whitcomb Family Realty Trust, dated November 7, 1974, and recorded with Norfolk County Registry of Deeds in Book 10728, Page 445, and the second (for Lots 10, 11, 12, & 13) from Thomas M. Corcoran Co., Inc., to John M. Whitcomb and W. Arthur Whitcomb, Trustees of the Whitcomb Family Realty Trust, dated 15 february 1996, and recorded with Norfolk County Registry of Deeds in Book 11986, Page 459.

The total area of all lands which may be acquired in the name of the Commonwealth of Massachusetts, Metropolitan District Commission, through the operation of this order of taking, including Lots 3A, 8, 9, 10, 11, 12, & 13, and one half of the width of the unbuilt "paper" portions of Whitcomb Road adjoining these Lots, is estimated to be 420,992 square feet, or 9.6646 acres, more or less.

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AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Dedham, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNER	AWARD
W. Arthur Whitcomb and Merle Whitcomb, Trustees of The Whitcomb Family Trust, and/or The Trust For Public Land	$ 650,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $650,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 1, recommending that the Commission adopt an order of taking for acquisition of approximately 0.68 acres of land owned by Stephen L. Conroy, Jr., et als, located in the City of Quincy, Massachusetts, and to approve an award of damages in the amount of $10,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8960.
The Commission V O T E D: to adopt an order of taking for acquisition of approximately 0.68 acres of land owned by Stephen L. Conroy, Jr., et als, located in the City of Quincy, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 4, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Quincy in the County of Norfolk and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land situated in Quincy, Norfolk County, Massachusetts, off of the westerly side of Bunker Hill Lane and adjoining lands of the Commonwealth of Massachusetts, Metropolitan District Commission, Quincy Quarries Section of the Blue Hills Reservation, shown as Lot 2 and Lot A upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Park Land Taking Plan, Quincy, Massachusetts", dated June 1, 1995, prepared by Cullinan Engineering Company, Inc., Richard D. Raskind, R.L.S., which plan is on file with the Real Property Office of the Metropolitan District Commission, at its headquarters, located at 20 Somerset Street, Boston MA, said lots being more particularly bounded and described as follows:

"Lot 2":

Beginning at a concrete bound with disc set at the southeasterly corner of Lot 2, said bound being at the southwesterly corner of Lot 1, land, now or formerly, of Ronald Affsa, et als, (see deed recorded with Norfolk County Registry of Deeds in Book 8501, Page 75) and at a point in the northerly line of land, now or formerly, of John B. Allen (see deed recorded with said Deeds in Book 3656, Page 319), said bound being further located as S. 67° 43′ 20" W., 120.02 feet from a point in the westerly line of Bunker Hill Lane, as measured by the line between lands, now or formerly, of R. Affsa, et als, and J. B. Allen;

Thence S. 67° 43′ 20" W., 129.93 feet, by land, now or formerly, of J.B. Allen, to a point in a stone wall, at land formerly of Thomas J. Fitzgerald, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking recorded with said Deeds in Book 9384, Page 359);

Thence N. 46° 58′ 38" W., 84.91 feet, by and through the stone wall and by land formerly of T. J. Fitzgerald, to a point at the northwesterly corner of Lot 2, the first parcel herein being described, said point being also at the southwesterly corner of Lot A, the second parcel herein being described, land, now or formerly, of Stephen L., Jr.& Gail P. Conroy;

Thence N. 66° 07′ 39" E., 163.20 feet, by the southerly line of Lot A, to a concrete bound with disc set at the northeasterly corner of Lot 2, the southeasterly corner of Lot A, the southwesterly corner of Lot B, other land, now or formerly, of S.L., Jr. & G.P. Conroy, and at the northwesterly corner of land, now or formerly, of the aforesaid R. Affsa, et als;

Thence S. 23° 52′ 21" E., 81.71 feet, by land, now or formerly, of R. Affsa, et als, to the first mentioned concrete bound with disc set, being the point and place of beginning.

Containing 11,679 square feet, more or less, or 0.268 acres, as shown as Lot 2 upon the above cited plan.

"Lot A":

Beginning at the second concrete bound with disc set, mentioned above in the description of Lot 2, at the southeasterly corner of Lot A, the parcel herein being described;

Thence S. 66° 07′ 39" W., 163.20 feet, by the northerly line of Lot 2, to a point at land, formerly of T.J. Fitzgerald, now of the Commonwealth of Massachusetts, MDC;

Thence N. 44° 07′ 59" W., 105.38 feet, by land formerly of T.J. Fitzgerald, to a concrete bound at the northwesterly corner of the parcel herein being described, and at land, formerly of Robert D. & Mary G. Meenan, now land of the Commonwealth of Massachusetts, MDC (see order of taking recorded with said Deeds in Book 10015, Page 267, and confirmatory order of taking recorded with said Deeds in Book 11472, Page 192);

Thence N. 66° 07′ 39" E., 200.00 feet, by land formerly of R.D. & M.G. Meenan, to a concrete bound at the northeasterly corner of the parcel herein being described, the northwesterly corner of Lot B, other land, now or formerly, of S.L., Jr. & G.P. Conroy, and the southwesterly corner of remaining land, now or formerly, of R.D. & M.G. Meenan;

Thence S. 23° 41" 33" E., 98.86 feet, by the westerly line of Lot B, to the concrete bound with disc set at the southeasterly corner of Lot A, being the point and place of beginning.

Containing 17,953 square feet, more or less, or 0.412 acres, as shown as Lot A upon the above cited plan.

The total area intended to be taken herein and hereby, being the total area of Lot 2 and Lot A combined, is calculated to be 29,632 square feet, more or less, or 0.680 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the rear or westerly portions of the same premises described in two deeds, the first (Lot 2) being the rear portion of the first parcel described in a deed from Genevieve Falconi to Stephen L. Conroy and Myrtle A. Conroy, dated August 25, 1965, recorded with the Norfolk County Registry of Deeds in Book 4288, Page 14, (see also probate of the Estate of Myrtle A. Conroy, Norfolk County Probate Docket No. 87P2855E1), and the second (Lot A) being the rear portion of the same premises described in a deed from Stephen L. Conroy and Myrtle A. Conroy to Stephen L. Conroy, Jr. and Gail P. Conroy, dated July 21, 1970, and recorded with said Deeds in Book 4677, Page 420.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Quincy, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
(Lot 2)	
Stephen L. Conroy, Jr. and Barbara Hennigan	$ 6,058.66
(Lot A)	
Stephen L. Conroy, Jr. and Gail P. Conroy	$ 3,941.34

The Commission further V O T E D: to approve an award of damages in the amount of $10,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:05 a.m., to meet on Wednesay, June 10, 1998, at 9:00 a.m.

William F. Cheney
Secretary

Record of the Three Thousand Eight Hundred and Fifty Third (3853rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Wednesay, June 10, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Wu.

The Records of the Commission Meeting held on May 28, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

1. Contract No. WM95-011-C1A, dated June 10, 1998, with Tasco Construction, Inc., for Restoration of the Downstream Areas, Goodnough Dike, Quabbin Reservoir, Ware.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Martinez, June 5, recommending approval, for administrative purposes only, an extension of time from October 31, 1997 to August 31, 1998, on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration Phase 1A.
The Commission V O T E D: to approve an extension of time, for administrative purposes only, from October 31, 1997 to August 31, 1998, as recommended by Messrs. Faucher, Brooks and Martinez in their report of June 5, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Miss Overton and Messrs. Faucher and Traficante, June 3, recommending approval of the action of Acting Director Faucher resulting in emergency work at Murphy Skating Rink and to authorize pre-demolition inspections of various MDC buildings and other anticipated hygiene services, at a cost of $39,700.00, on Contract No. P95-1766-X1A, with Covino Environmental Associates, for Industrial Hygiene Services.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in emergency work at Murphy Skating Rink.
The Commission further V O T E D: to authorize pre-demolition inspections of various MDC buildings and other anticipated hygiene services, at a cost of $39,700.00, on Contract No. P95-1766-X1A, with Covino Environmental Associates, for Industrial Hygiene Services.

4. Report of Messrs. Faucher and Lenhardt, June 3, on bids for Rehabilitation of Electric Motors, Beades Drawbridge, Boston, Contract No. P98-1962-C1A.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest bid received, that of Coviello Electric Co., Inc., of $28,700.00).

Messrs. Faucher and Lenhardt further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric Co., Inc., of $28,700.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Messrs. Faucher and Jackson, June 2, requesting approval of an extension of time from May 31, 1998 to July 31, 1998, due to additional work to make design revisions to the new Kelly's Landing Boat Deck, on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches.
(At no additional Contract cost).
Following a series of questions posed by Associate Commissioner Carr and responses by Mr. Jackson, Associate Commissioner Carr stated that he felt that the written back-up information provided to the Commission concerning the project was lacking in necessary detail.
The Commission V O T E D: to approve an extension of time from May 31, 1998 to July 31, 1998, as requested by Messrs. Faucher and Jackson in their report of June 2, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Machado, June 3, recommending approval of Extra Work Order No. 1, for installation of excavatable controlled density fill, at a cost of $80,000.00, on Contract No. P97-1918-C1A, with D & R General Contracting Co., Inc./MDR Construction Co., Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Location Throughout the Metropolitan Area.
Account No. 2440-8952.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $80,000.00.

3. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, May 29, recommending approval of revisions in quantities on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, as follows -

Item No. 003-010	- Unclassified Excavation	- $ 7,700.00
Item No. 003-030	- Ordinary Fill	- $ 4,400.00
Item No. 003-050	- Gravel Fill	- $29,700.00
Item No. 003-060	- Gravel Borrow	- $39,600.00
	Total =	$81,400.00

Account No. 2449-6033.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Machado, May 29, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Item No. 046-020 - 3" x 6" Double Wood Rail on Existing Concrete Posts - $5,856.00 and 057-010 - 5 Foot High Black Vinyl Chain Link Fence - $2,593.50, on Contract No.

P96-1862-C1A, with South Shore Fence Company, Inc., for Installation Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System.
Messrs. Faucher and Machado further recommend approval of Item No. 059-010 - Six Foot High Black Vinyl Chain Link Fence - $2,564.40, Item No. 061-010 - 8 Foot High Black Vinyl Chain Link Fence - $312.24 and Extra Work Order No. 2 - 15 self closing and self latching devices for fence gates - $4,219.65. Total Cost = $15,545.79.
Cost of Revisions in Quantities - Account No. 2490-0017.
Cost of Extra Work Order 2 - Account No. 2440-8952.
The Commission V O T E D: to approve the revisions in quantities, which resulted from Acting Director Faucher's action, on Item No. 046-020, in the amount of $5,856.00 and Item No. 057-010, in the amount of $2,593.50.
The Commission further V O T E D: to approve revisions in quantities on Item No. 059-010, in the amount of $2,564.40 and Item No. 061-010, in the amount of $312.24.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $4,219.65.

1. Report of Messrs. Faucher, Brooks and Martinez, June 1, recommending approval of the following on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I -
   1. A Revision in Quantities - Item No. 01590 - Construction Trailer - $4,000.00.
   2. An Extension of Time from June 30, 1998 to August 31, 1998, due to the need for additional time for extensive planting.

   Account No. 2490-0017.
   The Commission V O T E D: to approve a revision in quantities on Item No. 01590, in the amount of $4,000.00.
   The Commission further V O T E D: to approve an extension of time from June 30, 1998 to August 31, 1998, as recommended by Messrs. Faucher, Brooks and Martinez in their report of June 1, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Sacco, June 3, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment No. 1, for additional work, which will increase the upset limit from $100,00.00 to $645,369.00, on Contract No. P98-1930-S1A, with GEI Consultants, Inc., for Feasibility Study for Securing Public Safety at the Granite Rail Quarry, Quincy.
   Account No. 2496-8969.
   The Commission V O T E D: Approved.
   The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment No. 1, on Contract No. P98-1930-S1A, with GEI Consultants, Inc., for Feasibility Study for Securing Public Safety at the Granite Rail Quarry, Quincy.

1. Report of Messrs. Faucher and Jackson, June 2, requesting approval of the action of Acting Director Faucher resulting in Alteration No. 1, for correcting inadequate surface drainage at the Kelly's Landing Plaza, South Boston, at a cost of $17,497.95, on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches.
Account No. 2440-8956.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $17,497.95.

2. Report of Messrs. Faucher and Sacco, June 3, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1930-C1A, for Controlled Dewatering of Granite Rail Quarry, Quincy.
Budgeted Cost - $475,000.00.
Time for Performance - seven months.
Funding of $354,631.00 - Account No. 2496-8969.
Funding of $120,369.00 - Account No. 2410-7872.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1930-C1A, for Controlled Dewatering of Granite Rail Quarry, Quincy.
David Hodgden, representing the Friends of the Blue Hills, stated that his group opposed the dewatering project.
He then requested that a Public Hearing be held prior to the start of the project.

3. Report of Messrs. Faucher and Machado, June 3, recommending approval of the following on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System -

REVISIONS IN QUANTITIES

Item No. 001-010 Pavement Trimming	$ 328.90
Item No. 002-010 Unclassified Excavation	$ 224.55
Item No. 004-010 Tree Removal Including Stump Diameter Under 16"	$ 897.00
Item No. 005-010 Ledge Excavation	$ 3,363.75
Item No. 006-010 Gravel Borrow	$ 353.15
Item No. 035-010 New SS Guard Rail & Posts	$ 2,904.00
Item No. 039-010 Individual Galvanized Steel Post	$ 4,962.24

ALTERATION

Alteration No. 1 13½% Surcharge for Guardrail, Term. Ends & Indiv. Posts with Corten Steel	$ 1,073.93

EXTRA WORK ORDER

Extra Work Order No. 3 Concrete Foundation Wall for Guardrail	$22,432.64
Total =	$36,540.16

EXTENSION OF TIME

From June 25, 1998 to July 25, 1998 - to install guard rail on a section of Big Blue Access Road for safety purposes.
The Commission V O T E D: to approve the revisions in quantities as recommended by Messrs. Faucher and Machado in their report of June 3, 1998.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of $1,073.93.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $22,432.64
The Commission further V O T E D: to approve an extension of time from June 25, 1998 to July 25, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Carrigan and Machado, June 5, recommending approval of revisions in quantities, as follows, on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Location of the Metropolitan Parks Systems -

Item No. 053-010	$11,684.75
2ft. 3ft-6inch - Black Vinyl Chain Link Fence	
Item No. 055-010	$ 971.50
4ft. 4ft-6inch - Black Vinyl Chain Link Fence	
Item No. 059-010	$ 6,346.00
6ft. - Black Vinyl Chain Link Fence	
Item No. 063-010	$19,129.00
10ft. - Black Vinyl Chain Link Fence	
Item No. 065-010	$ 6,680.00
12ft. - Black Vinyl Chain Link Fence	
Total =	$44,811.25

Account No. 2440-8952.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

2. Report of Mr. Brown, April 6, on behalf of an Administrative Hearing Committee recommending that the Commission assess a financial sanction against G.V.W., Inc., in the amount of $40,000.00, for non-compliance with the MBE/WBE contract provisions, on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
The Commission V O T E D: Held Over.

3. Report of Mr. Broderick, June 2, requesting that the Commission designate Lt. John O'Donnell, Commander of the MDC Park Ranger Marine Unit, as the MDC Harbormaster.
The Commission V O T E D: Delete from Agenda.

4. Report of Mr. Broderick, June 4, requesting that the Commission appoint Chief Ranger Peter Church, the Parking Clerk for the MDC.
The Commission V O T E D: to appoint Chief Ranger Peter Church, the Parking Clerk for the MDC, as requested by Mr. Broderick in his report of June 4, 1998.

1. Report of Mr. Jewett, June 8, on behalf of the Consultant Selection Committee recommending approval of the selection of Vollmer Associates LLP, for Contract No. P97-1905-D1A - Design Services for Rehabilitation of the Thompson Center for the Disabled, Stony Brook Reservation, Hyde Park.
Time for Performance - twelve months.
Compensation - Estimated at $175,000.00 paid on a cost plus fixed fee basis.
Account No. 2445-8958.
The Commission V O T E D: to approve the selection of Vollmer Associates LLP, for Contract No. P97-1905-D1A - Design Services for Rehabilitation of the Thompson Center for the Disabled, Stony Brook Reservation, Hyde Park.

2. Report of Miss Overton, June 5, requesting ratification of Commissioner Balfour's execution of a Memorandum of Agreement between the MDC and the Commonwealth Zoological Corporation, d/b/a Zoo New England (ZNE), a public non-profit corporation, located at Franklin Park Zoo, Dorchester, Massachusetts 02121.
The Agreement provides for $1,500,000.00 to be transferred to ZNE from Account No. 2443-7967 in accordance with provisions set forth in Chapter 15, Section 2 Line Item 2443-7967 of the Acts of 1996.
The Commission V O T E D: to ratify Commissioner Balfour's execution of a Memorandum of Agreement, which provides for $1,500,000.00 to be transferred to ZNE from Account No. 2443-7967 in accordance with provisions set forth in Chapter 15, Section 2 Line Item 2443-7967 of the Acts of 1996, between the MDC and the Commonwealth Zoological Corporation, d/b/a Zoo New England (ZNE), a public non-profit corporation, located at Franklin Park Zoo, Dorchester, Massachusetts 02121.

3. Report of Miss Overton, June 9, requesting approval and execution of Amendment No. 8, for an extension of time from June 15, 1998 to September 30, 1998, due to the need to produce revised versions of the Resource Management Plan to meet MEPA directives, on Contract No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan for the lands owned and managed within the Fowl Meadow/Ponkapoag Area of Critical Environmental Concern.
(At no additional Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 8, dated June 10, 1998, on Contract No. P96-1824-S1A, with Fugro East, Inc., which was signed by the Commissioner and two Associate Commissioners.

4. Report of Mrs. O'Brien, June 8, requesting renewal and execution of a Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land Acquisition and Master Planning - at a cost not-to-exceed $54,770.00.
Time for Performance - July 1, 1998 - June 30, 1999.
Account No. 2490-8915 of Chapter 33, Acts of 1991.
The Commission V O T E D: Approval to renew Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land

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Acquisition and Master Planning - at a cost not-to-exceed $54,770.00, as requested by Mrs. O'Brien in her report of June 8, 1998.
The Secretary then submitted for signature Contract-Agreement, dated June 10, 1998, with Daniel Driscoll, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, June 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 350.5 acres of land owned by Nimrod League of Holden, Inc., located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $2,468,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 350.5 acres of land owned by Nimrod League of Holden, Inc., located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 10, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the southerly part of the Town of Princeton, on the westerly side of a road now known as Coal Kiln Road, earlier called the Holden Road and the Princeton to Holden Road, said parcel being the larger and northerly portion of a larger assemblage of property, mostly within the Town of Princeton, but sitting upon the Princeton -Holden Corporate line and extending partially into the Town of Holden, more particularly bounded and described as follows:

Beginning at an iron pipe set in a stone wall corner at a point in the westerly line of Coal Kiln Road, in close proximity to utility pole #51 as shown upon a Chapter 61 Forestry Plan, referred to below at the conclusion of this description, said pin being shown as iron pipe # 10 upon a

survey plan referenced at the conclusion of this description, and being located 1792.5 feet, more or less, northerly, as measured in nine courses, along the westerly side of Coal Kiln Road and by other land, now or formerly, of the Nimrod League of Holden, Inc., not to be restricted herein, from a stone wall corner on the Princeton-Holden Corporate Line;

Thence N. 01° 50′ 20" W., 144.0 feet, more or less, along the westerly line of the road and easterly of the wall, to iron pipe # 11 at the northerly end of the wall;

Thence N. 05° 40′ 30" E., 380.0 feet, more or less, by the westerly line of the road, to iron pipe # 12;

Thence N. 03° 23′ 30" E., 468.0 feet, more or less, by the westerly line of the road, crossing a brook entering a culvert beneath the road, and running to iron pipe # 13;

Thence N. 08° 42′ 20" W., 323.5 feet, more or less, by the westerly line of the road, to iron pipe # 14 at or near the end of another wall segment;

Thence N. 05° 02′ 00" W., 298.5 feet, more or less, by the westerly line of the road and along the easterly face of the wall segment, to iron pipe # 15, at or near a boulder in the end of the wall;

Thence N. 02° 46′ 20" W., 198.5 feet, more or less, by the westerly line of the road, to iron pipe # 16 set at a wall corner;

Thence N. 14° 26′ 00" E., 125.0 feet, more or less, by the westerly line of the road and the easterly face of the wall, to iron pipe # 16A at the northerly end of the wall, and at or near the southeasterly line of a 125 foot wide New England Power Company easement crossing the parcel herein being described from northeast to southwest (see deed from Nimrod League of Holden, Inc. to New England Power Company, dated 30 September 1960 as recorded with Worcester District Registry of Deeds in Book 4153, Page 575;

Thence N. 20° 27′ 00" E., 382.5 feet, more or less, crossing the N.E.P.Co. easement, and running by the westerly line of the road and on the easterly

side of wall remnants, to iron pipe # 17 set in the easterly face of a long wall segment;

Thence N. 21° 41′ 20" E., 634.0 feet, more or less, by the westerly line of the road and the easterly face of the wall, passing another culvert beneath the road and running to iron pipe # 18 set in the face of the wall;

Thence N. 19° 13′ 20" E., 449.0 feet, more or less, by the westerly line of the road and the easterly face of the wall, to iron pipe # 19 set at a point in the centerline of a brook, at land, formerly of one Howe, later of Dorothy A. Lever, subsequently of Daniel J. Thibodeau, and now or formerly, of Neal & Judith Thibodeau (see deed dated July 7, 1970 recorded with said Deeds in Book 5042, Page 570);

Thence Northwesterly, 460.0 feet, more or less, along the centerline of the brook and land, now or formerly, of N.& J. Thibodeau, to iron pipe # 23 set at a point in the southeasterly line of land, formerly of one Howe, later of Lever, and now or formerly, of Russell K. & Joyce M. Stevens;

Thence N. 88° 22′ 00" W., 819.23 feet, more or less, by land, now or formerly, of Stevens, to iron pipe # 22 set at the southwesterly corner of this abutting lot;

Thence N. 01° 38′ 00" E., 374.7 feet, more or less, by the westerly line of land, now or formerly, of Stevens, to iron pipe # 21 set at the northwesterly corner of this abutting lot;

Thence S. 88° 22′ 00" E., 1244.1 feet, more or less, crossing the brook referred to above, by the northwesterly line of land, now or formerly, of Stevens, entering and running partially by a stone wall to iron pipe # 20 set at or near a wall corner in the westerly line of Coal Kiln Road;

Thence N. 25° 57′ 30" E., 124.61 feet, more or less, by the westerly line of the road and the face of the stone wall, to iron pipe # 24 set in the line of a wire fence, at land formerly of Luther Whittaker, later of one Kenney, and now or formerly, of Richard E. Wiles;

Thence N. 32° 30′ 05" W., 1888.0 feet, more or less, by the wire fence line and lands formerly of Kenney, partially, now or formerly, of the aforesaid Wiles, and partially, now or formerly, of the Tenny Field Realty Trust, to Old Stone Monument # 25 at the easterly corner of land, formerly of Lucius J. Shepard, now or formerly, of Alphonse & Marie A. Boucher;

Thence S. 48° 45′ 10" W., 288.0 feet, more or less, by land, now or formerly, of Boucher, to old iron pipe # 26 set at an angle in the line;

Thence S. 89° 54′ 15" W., 720.0 feet, more or less, by land, now or formerly, of Boucher, to old iron pipe # 27 set at the southwesterly corner of this abutting lot;

Thence N. 05° 10′ 40" W., 540.0 feet, more or less, by land, now or formerly, of Boucher, to iron pipe # 28, set at a point at which a large hemlock stump once stood;

Thence N. 19° 07′ 00" E., 22.4 feet, more or less, by land, now or formerly, of Boucher, to iron pipe # 29, set at a point at which an old stake and stones were placed, near the intersection of a cart path with an old road or lane, at land, formerly of John Brooks Heirs, later of one Godard, late of Paul B. Morgan, Jr., or John K. Kimball, as Trustee of the Morgan Exchange Trust, and now of the Commonwealth of Massachusetts, MDC (see Tract I in an order of taking by the MDC dated June 15, 1995 and recorded with said Deeds on July 14, 1995 in Book 17169, Page 35);

Thence Westerly and southwesterly, 785.0 feet, more or less, partially by a fence line, but mostly by a stone wall running along the southeasterly side of the old road or lane, and land now of the Commonwealth of Massachusetts, MDC, to iron pipe # 30 at an angle in the wall, at land, formerly of Herbert P. Houghton, and now also of the Commonwealth of Massachusetts, MDC, being a portion of the premises acquired as Tract I in the above referenced order of taking from Morgan et als;

Thence S. 31° 20′ 25" W., 479.0 feet, more or less, by the stone wall and land formerly of Houghton, now of the Commonwealth of Massachusetts, MDC, to iron pipe # 31 set at an angular corner of walls, at a point in the northerly line of a parcel of land formerly known as the "Flagg Hill Pasture", being Tract IV in the order of taking from Morgan et als;

Thence S. 77° 16′ 05" E., 165.5 feet, more or less, by the wall, to iron pipe # 32, at another corner of walls;

Thence S. 04° 39′ 20" E., 317.0 feet, more or less, by the wall, to iron pipe # 33, at a point therein;

Thence S. 09° 36′ 25" E., 878.5 feet, more or less, by the wall, to drill hole # 34 in a corner of walls at the remains of a fence line, being the northeasterly corner of land, formerly of one Boylston, later of one Watson, late of Robert & Joanne Arello, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see an order of taking by the MDC dated May 1, 1997 and recorded on May 29, 1997 with said Deeds in Book 18860, Page 131, and a plan of the premises drawn for the MDC by James E. Gaffney Co. as referenced below), the last three courses being by the "Flagg Hill Pasture" so-called;

Thence S. 04° 48′ 20" E., 680.0 feet, more or less, crossing a cart path and running to iron pipe # 35, set at an angle in the line;

Thence S. 39° 04′ 20" W., 1803.0 feet, more or less, running westerly of a brook and partially through a swamp, to iron pipe # 36, set at an angle in the line;

Thence S. 10° 39′ 00" W., 171.3 feet, more or less, to iron pipe # 37, set at a wall corner, at land, formerly of Watson and Moses Garfield, later of Donald R. & Nancy A. Mathieu, and now of various owners, being the Hickory Drive and Oak Circle subdivision shown upon a revised plan of Wildwood Acres recorded with said Deeds as referenced below, the last three courses being by land of the Commonwealth of Massachusetts, MDC, formerly of Arello;

Thence S. 09° 15′ 30" W., 1803.0 feet, more or less, by the easterly face of the stone wall and the lands of the various owners of "Wildwood Acres", recrossing the N.E.P.Co. powerline easement and a gap in the wall and continuing again by the wall to iron pipe # 38, set at a wall corner;

Thence S. 61° 36′ 20" W., 32.0 feet, more or less, by the face of the wall, and "Wildwood Acres", to iron pipe # 39, set at a wall corner, at land, formerly of Albert B. Garganigo, later of Richard E. & Eleanor M. Sandstrom, and now or formerly, of Robert Sandstrom (see description of Parcel II in deed from A.B. Garganigo to R.E.& E.M. Sandstrom dated June 4, 1959 and recorded with said Deeds in Book 4028, Page 563);

Thence S. 30° 15′ 15" E., 802.0 feet, more or less, by the face of the wall and land, now or formerly, of Sandstrom, to iron pipe # 40 set at an angle in the wall, said pipe being located at the northwesterly corner of other land, now or formerly of the Nimrod League of Holden, Inc., not intended to be restricted herein or hereby, but specifically reserved to said League, its assigns and successors for their full use and enjoyment;

Thence N. 78° 07′ 45" E., 2770.43 feet, more or less, by the unrestricted other land, now or formerly, of the Nimrod League of Holden, Inc., to the first mentioned iron pipe # 10 in the wall corner on the westerly side of Coal Kiln Road, being the southeasterly corner of the parcel herein described, and the point and place of beginning.

Excepting from the above land intended to be restricted herein and hereby, a parcel of 2.066 acres, more or less, conveyed from the Nimrod League of Holden, Inc., to Matthew B. Bufton and Christine L. Stiles in an deed dated 15th October 1993, and recorded with said Deeds in Book 15732 Page 294 on November 4, 1993, and shown upon a plan entitled "Plan Of Land In Princeton, Mass. Prepared For Nimrod League Of Holden, Inc.", dated August 1, 1993, prepared by Andrysick Land Surveying, Inc., Douglas W. Andrysick, P.L.S., which plan is recorded with said Deeds as Plan 19 in Plan Book 673.

Containing 346.5 acres, more or less, as calculated from information shown upon the survey plan first cited above, being entitled "Plan of Land In Holden & Princeton Owned By Nimrod League Of Holden, Inc.," dated September 1974, prepared by Wachusett Engineering & Construction Co. Inc., Winslow M. Spofford, R.P.E.& R.L.S., copies of which plan are on file with the Nimrod League of Holden, Inc., at its facility on Coal Kiln Road, Princeton, MA., and with the Real Property Office of the Metropolitan District Commission located at 20 Somerset Street, Boston Ma. 02108.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Nimrod League of Holden, Inc.	346.5 acres ±

The remaining unrestricted property, now or formerly, of the Nimrod League of Holden, Inc., is calculated to contain 88.62 acres, more or less, in Princeton, and 5.1 acres, more or less, in Holden, or a total of 93.63 acres, more or less.

The other plans cited above within the body of the description are as follows:

1) A Forestry Plan prepared for Nimrod League of Holden, Inc. by Rexford V.N. Baker, Consulting Forester, for the purpose of qualifying league property for inclusion under provisions of Chapter 61 M.G.L., Map sheets 1 & 2, Scale 1" = 600 feet undated, copies of which are on file with the Assessors Office of Princeton Ma., with the MDC Real Property Office and with Nimrod League of Holden, Inc.

2) A plan entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division Of Watershed Management Princeton (Worcester County) MA Land Taking Plan For Watershed Protection", dated February 1997, prepared by James E. Gaffney Co., James E Gaffney R.P.L.S., which plan is on file with the Real Property Office of the Metropolitan District Commission at its Offices located at 20 Somerset Street Boston, MA 02108. Said plan shows property abutting the westerly line of the above described premiese, taken from Robert & Joanne Arello in an order of taking dated May 1, 1997 and recorded with said Deeds in Book 18860, Page 131.

3) A plan entitled "Revised Plan Wildwood Acres In Princeton, Mass. For Donald R. Mathieu", dated May 6, 1985, prepared by Rice Engineering, John R. Lonergan, P.L.S., which plan is recorded with said Deeds as Plan 85 in Plan Book 538. Said plan shows land abutting the above described premises on its westerly line.

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being most of the premises described in two deeds from Howe Lumber Company to Nimrod League of Holden, Inc., dated October 14, 1941 and October 22, 1943, and recorded with Worcester District Registry of Deeds in Book 2834, Page 251, and in Book 2901, Page 121, as well as a portion of the northerly part of the same premises described in a deed from Howe Lumber Company to Nimrod League of Holden, Inc. dated May 9, 1940 and recorded with said Deeds in Book 2775, Page 363.

The above described land, herein restricted, is represented upon Princeton Assessors Map 16 as most of, and the northerly portion of Parcel 1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, except as otherwise permitted herein.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, except as necessary for that portion of the premises designated and shown on the attached Exhibit "A" as the unrestricted area.

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land, and except as otherwise permitted herein.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage, except as otherwise permitted herein.

7. No grazing or sheltering of domestic livestock or domestic animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted, except as otherwise permitted herein.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, applicable generally to all watershed landowners regardless of any watershed preservation restrictions, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement; provided, however, the same shall not restrict the activities and uses allowed pursuant to the following paragraph 11.

11. The MDC specifically authorizes and permits all activities and uses not specifically or otherwise prohibited hereby, and does hereby expressly authorize and permit the following rights, activities and uses within the premises restricted under this taking:

a. the right to continue to operate under G.L. c. 61 Forestry, or other similar state or federal programs now or in the future, dedicated to conservation uses and purposes in compliance with this restriction;

b. the right to continue to hunt, fish and trap in any legal manner according to applicable Commonwealth and federal statutes and regulations,

including but not limited to: hunting game; use of hunting dogs; use of lead shot and ammunition; bow hunting including the use of portable or permanent tree stands with or without screw-in pegs; the ability to breed, stock and release game for hunting; and the ability to fish throughout the year using artificial or live bait;

c. the right to continue to allow hiking, cross-country skiing, snowshoeing, camping (to include overnight), and picnicking on the property by members and invitees, including properly managed campfires for cooking;

d. the right to continue to shoot firearms, antique firearms, and bows during any legal hours according to applicable Commonwealth and federal statutes and regulations;

e. the right to continue to hold and sponsor shooting and sporting competitions by members and invitees, including, but not limited to, sporting clays, fishing, the use of firearms, antiques firearms, and bows, for silhouette and three dimensional targets, including movable archery butts;

f. the right to continue to manage the land in accordance with G.L. c. 132 and MDC Best Management Practices for Forest Management in cooperation with MDC agents, or its statutory successor, including but not limited to the ability to patch cut select areas for wildlife management in accordance with creating temporary forest openings per the Wildlife Habitat Enhancement Document for SIP-8 drafted by DFWELE, prepare, till and seed the patch cut areas to develop grasslands, and maintain the openness of these areas with farm or residential mowing equipment; plant grass, trees, and or other ground cover for wildlife management; operate logging equipment and maintenance vehicles as necessary;

g. the right to cut and maintain access roads, fire roads and walking trails on the restricted property, including but not limited to those necessary or convenient to maintain sporting clays and archery courses, provided said access roads, fire roads and walking trails shall be located in cooperation with the MDC, its agents or statutory successors and shall not be constructed with any impervious surface or material;

h. the right to construct, maintain, repair, renovate and retain foot bridges on the restricted property;

i. the right to maintain and improve all existing power easements; and

j. the right to allow members and their invitees to operate motorized vehicles on the premises, including snowmobiles, motorcycles, and ATV uses related to the enjoyment of the premises, and the customary utilization of recreational vehicles for the removal of game, but limiting such operation to members and invitees, and excluding any and all such use by members of the general public.

All or any portion of the restricted parcel will not be posted as restricted from hunting or fishing by club members or the general public unless it is the decision of the club membership to privately post restrictions on the property.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Nimrod League of Holden, Inc.	$ 2,408,000.00

AND IT IS FURTHER ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the southerly part of the Town of Princeton, on the easterly side of a road now known as Coal Kiln Road, earlier called "the Holden Road", and "the Princeton to Holden Road", sitting upon the Princeton-Holden Corporate Line, more particularly bounded and described as follows:

Beginning at the southwesterly corner of the parcel herein being described, at a point in the easterly line of Coal Kiln Road, at its intersection with the Princeton-Holden Corporate Line, and at the northwesterly corner of land, in Holden, formerly of Robert S. & Katherine H. Mirick, now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Environmental Law Enforcement;

Thence Northeasterly, about 300 feet, more or less, by the Princeton-Holden Corporate Line, entering a stone wall and running to a drill hole in a corner of stone walls, at land, formerly of George F. Howe, later of Harry T. Buck, and late of Eon Kenneth Woods, now of the Commonwealth of Massachusetts, Metropolitan District Commission (See order of taking by MDC dated February 15, 1996 and recorded with Worcester District Registry of Deeds on March 14, 1996 in Book 17745, Page 198, and the accompanying plan referenced below at the conclusion of this description);

Thence N. 38° 10′ 08" W., 692.0 feet, by land of the Commonwealth of Massachusetts, MDC, to a concrete bound set, replacing an iron pipe, in a corner of stone walls, at a point in the easterly line of

Coal Kiln Road, said bound marking the northwesterly corner of the parcel herein being described, and the southwesterly corner of land formerly of E.K. Woods;

Thence Southwesterly and southeasterly, about 700 feet, more or less, by the stonewall and the easterly line of Coal Kiln Road, to the first mentioned point at the Princeton-Holden Corporate Line, being the point and place of beginning.

Containing 4.0 acres, more or less, by estimate and former deed description.

There is no known recorded or unrecorded plan of the above described property. There is no record layout of Coal Kiln Road.

The survey plan referred to above is entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division Of Watershed Management Princeton (Worcester County) MA Land Taking Plan For Watershed Protection", dated July 17, 1995, prepared by Ainsworth Associates, Inc., Alfred M. Berry, P.L.S., which plan is on file with the Real Property Office of the Metropolitan District Commission at its Offices located at 20 Somerset Street Boston, MA 02108. This plan was prepared for the MDC to delineate a subdivision of land of Eon Kenneth Woods, which adjoins the above described parcel on its northeasterly side.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Coal Kiln Road, which may be held by the supposed owner as a result of its ownership of the above described premises, and being the same premises described in a deed from Dorothy E. Donais, Executor under the Will of Albert Cleaves Farnum, by power conferred by the Worcester County Probate Court, by decree dated August 15, 1967 to Nimrod League of Holden, Inc., a Massachusetts corporation, dated 17th August 1967 and recorded with Worcester District Registry of Deeds in Book 4784, Page 597. (See Worcester Probate Case #215428 Estate of Gladys L. Farnum, and Worcester Probate Case #230146 Estate of Albert Cleaves Farnum).

The above described property is represented upon Princeton Assessors Tax Map 16 as Parcel 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Nimrod League of Holden, Inc.	$ 60,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $2,468,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.1176 acres of land owned by Medford Historical Society, located in the City of Medford, Massachusetts, and to approve an award of damages in the amount of $64,200.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.1176 acres of land owned by Medford Historical Society, located in the City of Medford, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 10, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Medford in the County of Middlesex and Commonwealth of Massachusetts, namely:

A certain parcel of vacant land lying on the southwesterly side of Riverside Avenue, between said Avenue and the Mystic River, bounded by Interstate Route 93 and the Mystic River Reservation of the Metropolitan District Commission, more particularly bounded and described as follows:

A certain parcel of land containing 5122 square feet, or 0.1176 acres, more or less, being the remaining land not previously taken for state highway purposes of the larger parcel shown as Lot B upon a plan entitled "Plan of Land in Medford Mass. belonging to A.W. Toppan", dated July 6, 1934, prepared by R.F. Connor-C.E. Medford, which plan is recorded with Middlesex South Registry of Deeds as Plan Number 364 of 1934, Recorded August 6, 1934 with Deed of Albert W. Toppan The C.& H. Co. Recorded in Book 5843, Page 534, further described as follows:

NORTHEASTERLY by said Riverside Avenue, there measuring 103.41 feet, more or less;

SOUTHEASTERLY by land of the Commonwealth of Massachusetts, Metropolitan District Commission, there measuring 58.00 feet, more or less;

SOUTHWESTERLY by the mean high water line of the Mystic and SOUTHERLY River, there measuring 43.00 feet, more or less;

NORTHWESTERLY by land, formerly of Harry R. Simpson, now of the Commonwealth of Massachusetts, Department of Transportation, the successor to the Department of Public Works, there measuring 96.00 feet, more or less.

The above referenced land of the Commonwealth of Massachusetts, Metropolitan District Commission, a part of the Mystic River Reservation, was acquired from the City of Medford in an order of taking dated April 20, 1939 and recorded with said Deeds on May 11, 1939 in Book 6291, Page 535. The land described therein is shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Mystic Valley Parkway, Plan of lands In Medford Between Craddock Bridge & Middlesex Fells Parkway to be conveyed to the Commonwealth of Massachusetts by the City of Medford," dated March 10, 1939, signed by Benjamin W. Fink, Acting Director of Parks Engineering, said plan being plan accession No. 25048-VT, or MPC 943, copies of which plan are on record with South Middlesex Registry of Deeds, and on file with the Central Records Office of the MDC at its headquarters located at 20 Somerset Street, Boston, MA.

The above referenced land of the Commonwealth of Massachusetts, Department of Transportation, was acquired by the Department of Public Works in an order of taking dated August 5th 1958, recorded with said Deeds on August 12, 1958 in Book 9204, Page 35. The accompanying plan entitled "The Commonwealth of Massachusetts PLAN OF ROAD in the City of MEDFORD MIDDLESEX COUNTY Laid out as a State Highway by the Department of Public Works," dated August 5, 1958, prepared by said Department and signed by its Commissioners and Chief Engineer, being Layout No. 4716, which plan is recorded with said Deeds as Plan Number 1042 of 1958 Recorded August 12, 1958 with Taking Document No. 266 Commonwealth of Massachusetts, Recorded in Book 9204 Page 41. The lands

taken therein were intended for the relocation of State Route 28, and are part of the present location of Interstate Route 93.

The above described land is represented upon City of Medford Assessors Plans as Lot 46 in Ward 7, Precinct 3.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Riverside Avenue and/or the waters of, and lands beneath, the Mystic River, which may be held by the supposed owner, as a result of its ownership of the above described property, and being the same premises described in a deed from Arthur H. Hall and George F. Whitmarsh, Trustees of the Metropolitan Properties Trust to Medford Historical Society, dated May 12, 1981, and recorded with Middlesex South Registry of Deeds in Book 14317, Page 549.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Medford, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Medford Historical Society	$ 64,200.00

The Commission further V O T E D: to approve an award of damages in the amount of $64,200.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 114.7323 acres of land owned by Mount Pleasant Country Club, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $963,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 114.7323 acres of land owned by Mount Pleasant Country Club, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 10, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land on the easterly side of Cross Street, formerly known as the road to Sawyer's Mills, near its intersection with Linden Street, more particularly bounded and described as follows:

Beginning at a point in the easterly line of Cross Street, at the northwesterly corner of the parcel herein being described and the southwesterly corner of land, now or formerly, of Ronald D. & Betty P.Guibord, said point being located S. 69° 04' 51" W., 6.83 feet from an iron pipe found, said corner is further located as lying S. 17° 08' 00" E., 115.53 feet from a stone bound at the southwesterly corner of land, now or formerly, of Jon & Donna Heslin, said bound lying about 250.75 feet southeasterly, as measured along Cross Street, from the southeasterly corner of the intersection of Cross and Linden Streets;

Thence N. 69° 04′ 51" E., 387.00 feet, by the southeasterly line of land, now or formerly, of R.D. & B.P. Guibord, to a drill hole found in a corner of stone walls, at land, now or formerly, of Anita D. Collins & Christine J. Wilson;

Thence N. 55° 39′ 18" E., 176.28 feet, by the stone wall and lands, now or formerly, of A.D. Collins & C.J. Wilson, to a drill hole found in a corner of walls at the southwesterly corner of land, formerly of Richard Wagner, now or formerly, of James R. & Carolyn J. McCubbrey;

Thence N. 55° 24′ 43" E., 602.92 feet, by land now or formerly, of J.R. & C.J. McCubbrey, crossing French Brook and running to a drill hole set in the southwesterly end of a stone wall;

Thence N. 54° 21′ 48" E., 78.08 feet, by and through the southwesterly portion of the wall segment to a point in the middle of a small gap in the wall;

Thence N. 56° 08′ 33" E., 80.40 feet, across the gap and through the northeasterly portion of the wall segment to a dril hole set in a corner of walls, near an iron rod found, at a point in the southwesterly line of land, reportedly, now or formerly, of Thomas D. & Elsie J. Ponrick et als;

Thence S. 61° 46′ 16" E., 399.98 feet, by land, reportedly, now or formerly, of T.D. & E.J. Ponrick, et als, to a drill hole set in the northwesterly end of a stone wall segment;

Thence S. 62° 24′ 17" E., 206.03 feet, by land, reportedly, now or formerly, of Ponrick, et als, by and through the wall segment and continuing to a drill hole set near the southerly end of another intervening stone wall segment;

Thence S. 60° 23′ 40" E., 157.79 feet, running through two piles of stones found to another drill hole set in the northwesterly end of another stone wall segment;

Thence S. 61° 24′ 14" E., 96.52 feet, by the stone wall segment, to a drill hole set in its southeasterly end;

Thence On the same bearing, 102.34 feet, by land, now or formerly, of Ponrick et als, past a wire fence remnant, to an iron rod set at the northeasterly corner of the parcel herein being described, at a point in the westerly line of land known as "Robert Hudson Wood Lot Number 8", being other land, supposed to be owned by Thomas D. & Elsie J. Ponrick, et als;

Thence S. 07° 45′ 29" W., 572.76 feet, along wire fence remnants and across ledge, partially by the westerly lines of lands known as "Robert Hudson Wood Lots No.8 & No.9", supposed to be owned by Ponrick, et als, and partially by land known as "Robert Hudson Wood Lot No.10" also called the "Lorenzo Sanderson Wood Lot", which latter lot is claimed to belong to Calvin B. Hastings, to a drill hole set at the northerly end of a stone wall segment in line of the "wood lots";

Thence S. 08° 00′ 01" W., 228.32 feet, by and through the wall segment, running across ledge to a point at the northerly end of another wall segment in line of the "wood lots";

Thence S. 07° 09′ 16" W., 246.75 feet, by the stone wall segment, to a drill hole set in a wall corner, at the southwesterly corner of the "Lorenzo Sanderson Wood Lot", and at a point in the northerly line of other land, now or formerly, of the Mount Pleasant Country Club, Inc.;

Thence S. 77° 31′ 09" W., 64.04 feet, by the wall, to an angular point therein;

Thence N. 50° 04′ 34" W., 62.49 feet, by the wall, to a drill hole set at an angular corner therein;

Thence N. 81° 18′ 28" W., 449.54 feet, by other land, now or formerly, of said Country Club, to an MDC concrete bound with drill hole set, at a corner;

Thence S. 29° 55′ 03" W., 252.23 feet, by other land, now or formerly, of said Country Club, to a drill hole set in the northerly end of a stone wall segment in line of the parcel herein being described;

Thence S. 03° 56′ 10" W., 489.35 feet, running through the wall segment, across a brook, past the pump house referenced below, and by other land, now or

formerly, of said Country Club, to a point at the northerly end of another wall segment;

Thence S. 05° 52′ 36" W., 156.66 feet, by the wall segment, to a point at its southerly end;

Thence S. 05° 24′ 03" W., 135.18 feet, by other land, now or formerly, of said Country Club, to a point at the northerly end of another wall segment;

Thence S. 03° 54′ 44" W., 141.41 feet, by the wall, to a drill hole set in a wall corner, at the southernmost corner of the premises herein being described;

Thence N. 70° 33′ 20" W., 694.98 feet, by and through the wall segment, crossing a gap in the wall, and a brook, reentering and running by and through the wall continuation to a drill hole set in the curving easterly line of Cross Street, the last nine courses being by other lands, now or formerly, of Mount Pleasant Country Club, Inc.;

Thence Northwesterly, by the easterly line of Cross Street, along the arc of a curve to the left, having a radius of 225.00 feet, an arc distance of 148.48 feet, to a point of tangency;

Thence N. 11° 01′ 38" W., 51.81 feet, by the easterly line of Cross Street, to a point therein;

Thence N. 17° 00′ 42" W., 105.87 feet, by the easterly line of the Street, to a point therein;

Thence N. 19° 50′ 02" W., 202.71 feet, by the easterly line of the Street and partially along the remains of a wire fence line, to a point therein;

Thence N. 16° 26′ 40" W., 185.71 feet, by the easterly line of Cross Street and along and through the remains of the wire fence, passing beneath the overhead electric wires serving the pump house, to a drill hole set in a stone wall at land, now or formerly, of Thomas F. & Jane R. Gannon;

Thence S. 89° 41′ 22" E., 421.59 feet, by the wall, to an iron pope found in a corner of walls;

Thence N. 10° 07′ 10" W., 502.44 feet, by and through the wall to a point;

Thence N. 10° 28′ 10" W., 369.73 feet, by land, now or formerly, of T.F. & J.R. Gannon, to point at a corner;

Thence S. 79° 31′ 50" W., 75.0 feet, to a point at another corner;

Thence N. 10° 28′ 10" W., 185.0 feet, to a point at an angle in the boundry line;

Thence N. 68° 32′ 00" W., 55.04 feet, to a point at another angle in the line;

Thence S. 69° 09′ 10" W., 390.0 feet, to a point in the easterly line of Cross Street, located 15.65 feet southwesterly of an iron pipe found on line, the last seven courses being by land, now or formerly, of Gannon, as shown upon a plan entitled "Plan Of Property In Boylston, Mass. Owned By Alfred E. & Mary B. Pope", dated August 29, 1961, prepared by Francis B. Thompson, C.E., and recorded with Worcester District Registry of Deeds as Plan 110 in Plan Book 261;

Thence N. 21° 01′ 24" W., 75.35 feet, by the easterly line of Cross Street, to the first mentioned point in the easterly line of Cross Street, being the point and place of beginning.

Containing 54.92 acres, as shown upon a plan of the "Pope" Parcel entitled "Plan Of Land In Boylston, Massachusetts Prepared For Mt. Pleasant Country Club, Inc. 369 Cross Street Boylston, Mass. 01505", dated June 9, 1998, prepared by Thompson-Liston Associates, Inc., Stephen J. Pflug, P.L.S., which plan shall be recorded with said Deeds and be made a part of this order, at a later time.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Mount Pleasant Country Club,Inc. a Massachusetts Corporation	54.92 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being most of the same premises described in a deed from Alfred F. Pope and Mary B. Pope to Mount Pleasant Country Club, Inc., dated January 15, 1962 and recorded with the Worcester District Registry of Deeds in Book 4257, Page 70.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof shall be permitted, except as provided below for the water system. No construction or placing of roads, ways, paths or portions thereof shall be permitted on said premises except as necessary to serve the remaining unrestricted land, and except as provided below for the water system.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, except as necessary to serve the remaining unrestricted land, and except as provided below for the water system.

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land, or the water system as provided below.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

Specifically reserving, however, to Mount Pleasant Country Club, Inc., its assigns and/or successors, the right to enter, use, operate, manage, install, maintain, repair, recondition, improve, replace, extend, or enlarge, the existing pump house, pumps and appurtenent electrical lines, pipes conduits and culverts which may be upon the above described premises for the purposes of irrigation, fire fighting and/or esthetic improvement of the unrestricted portions of its premises. None of the ten above stated restrictions shall be read so as to restrict or otherwise interfere with the operation of this water system in any way.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Mount Pleasant Country Club	$ 215,000.00

AND IT IS FURTHER ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Parcel 1

A certain parcel of land lying southwesterly of Central Street, and northeasterly of Stiles Road, shown as Parcel "B" upon an engineered survey plan referenced at the conclusion of this description, more particularly bounded and described as follows:

Beginning at a Metropolitan District Commission concrete bound set at a point in the southwesterly layout line of the 1948 Worcester County Record Layout of Central Street, at other land, now or formerly, of Mount Pleasant Country Club shown upon the plan cited below as Parcel "A", said point lying S. 70° 25′ 50" E., 315.13 feet from a Worcester County Highway bound, found 30.00 feet distant from and opposite Station 28+66.55 on said layout;

Thence S. 11° 55′ 03" W., 148.68 feet, to another MDC concrete bound set;

Thence S. 23° 07′ 31" W., 296.06 feet, to another MDC concrete bound set at a point in the curve forming the northeasterly line of Stiles Road, the last two courses being by Parcel "A";

Thence Southeasterly, by the northeasterly line of Stiles Road and a curve to the left with a radius of 1365.74 feet, an arc distance of 8.92 feet, to a point;

Thence S. 47° 22′ 58" E., 382.37 feet, by the road, crossing a stream, entering and running by a stone wall to a point in the wall;

Thence S. 46° 24′ 30" E., 137.91 feet, by the wall and the road, to a point in the wall;

Thence S. 48° 56′ 52" E., 51.19 feet, by the wall and the road, to a point in the wall;

Thence S. 48° 33′ 27" E., 114.58 feet, by the wall and the road, to a point in the wall;

Thence S. 47° 15′ 05" E., 51.95 feet, by the wall and the road, to a point in the wall;

Thence S. 46° 37′ 59" E., 58.81 feet, by the wall and the road, to a point in the wall;

Thence S. 51° 01′ 55" E., 94.18 feet, by the wall and the road, to a drill hole set in a corner of stone walls, at land, now or formerly, of William & Janet Mathrani;

Thence N. 81° 51′ 24" E., 263.92 feet, by the wall, to a drill hole set;

Thence N. 83° 13′ 00" E., 185.93 feet, by the wall, to a drill hole set at an intersection of walls;

Thence N. 37° 25′ 55" E., 46.35 feet, by the wall to a drill hole set at another intersection of walls, at land, now or formerly, of William & Susan Filsinger, the last three courses being by land, now or formerly, of Mathrani;

Thence N. 38° 59′ 10" E., 570.36 feet, by the wall and land, now or formerly, of Filsinger, to a drill hole set in a corner of walls, at a point in the

southwesterly record layout line of Central Street;

Thence N. 70° 08′ 40" W., 359.57 feet, along the wall and by the street, to a point 30.00 feet distant from and opposite Station 14+75.00, as shown on the record layout of Central Street;

Thence N. 70° 25′ 50" W., 694.93 feet, along and past the end of the wall, and by the street, to a point 30.00 feet distant from and opposite Station 21+70.00, as shown upon the record layout plan;

Thence N. 70° 25′ 50" W., 381.42 feet, recrossing the stream and running by the southwesterly layout line of Central Street to the first mentioned MDC concrete bound, being the point and place of beginning.

Containing 19.3623 acres, more or less, as shown as Parcel "B" upon a plan entitled "Commonwealth Of Massachusetts, Metropolitan District Commission, Division Of Watershed Management, Boylston, (Worcester County) MA. Land Taking Plan For Watershed Protection", dated May 20, 1996, and prepared by Cullinan Engineering Co., Inc., which plan shall be recorded with Worcester District Registry of Deeds and made a part of this order, at a later time.

Parcel 2

A certain parcel of land on the westerly side of Cross Street, formerly known as the road to Sawyer's Mills, and the southerly side of Linden Street, at their intersection, more particularly bounded and described as follows:

Beginning at an iron rod set at the southwesterly corner of the intersection of Linden and Cross Streets, as shown upon a survey plan prepared for Mt. Pleasant Country Club by Thompson-Liston Associates, Inc., which plan is more fully identified and cited below;

Thence S. 26° 11′ 42′ E., 126.36 feet, by the westerly line of Cross Street,to a point therein;

Thence S. 19° 49′ 30" E., 509.50 feet, by the westerly line of the street, to a point therein;

Thence S. 17° 47′ 33" E., 92.07 feet, by the westerly line of the street, to a point therein at the northerly end of a stone wall;

Thence S. 14° 31′ 43" E., 163.83 feet, by the wall and the westerly line of the street, to a drill hole found in a wall corner, at the northeasterly corner of land, formerly of Leonard L & Joan R. Shattuck, now or formerly, of Janet L. Lombardi;

Thence S. 68° 11′ 43" W., 217.54 feet, by the wall to a point therein;

Thence S. 67° 02′ 18" W., 305.29 feet, by and through the wall, to a drill hole set at the northerly end of the 'intersecting' wall;

Thence S. 06° 06′ 58" W., 187.44 feet, by the wall, to a point in a wall corner;

Thence N. 88° 43′ 58" E., 157.04 feet, by the wall, to a point at an angle in wall;

Thence N. 37° 35′ 02" E., 6.40 feet, by the wall, to a point therein;

Thence S. 72° 34′ 02" E., 56.13 feet, by the wall, to a point at an angle therein;

Thence S. 87° 43′ 02" E., 40.70 feet, by the wall, to a drill hole found at an angular corner therein;

Thence S. 31° 42′ 42" E., 150.86 feet, by the wall, to a point therein;

Thence S. 11° 55′ 12" E., 23.41 feet, by the wall, to a point therein;

Thence S. 21° 00′ 12" E., 198.84 feet, by the wall, to a drill hole found at a point therein, at the northwesterly corner of land, now or formerly, of Hal S. & Karen M. Feldman, the last ten courses being by land, now or formerly, of Janet L. Lombardi;

Thence S. 20° 17′ 29" E., 81.74 feet, by the wall, to a point therein;

Thence S. 04° 11′ 33" W., 27.22 feet, by the stone wall, to a point therein;

Thence S. 09° 30′ 25" E., 23.59 feet, by the wall, to a point at a gap in the wall;

Thence S. 01° 46′ 22" W., 32.13 feet, across the gap to a point at the continuation of the stone wall;

Thence S. 06° 54′ 36" E., 26.65 feet, by the wall, to a point therein;

Thence S. 01° 36′ 28" E., 53.16 feet, by the wall, to a drill hole found in a wall corner, the last six courses being by land, now or formerly, of H.S. & K.M. Feldman;

Thence S. 65° 36′ 54" E., 168.57 feet, by the wall, partially by land, now or formerly, of Feldman, and partially by land, now or formerly, Suzanne J. Spencer, to a point in said stone wall;

Thence S. 66° 16′ 43" E., 146.80 feet, by the wall and land, now or formerly, of S.J. Spencer, to a drill hole set in a corner of walls in the easterly line of Cross Street;

Thence S. 32° 44′ 30" W., 108.24 feet, by the street and the wall, to a point therein;

Thence S. 42° 36′ 00" W., 63.00 feet, by the street and the wall, to a point therein;

Thence S. 44° 01′ 54" W., 231.06 feet, by the street and the wall, to an iron pipe set in a wall corner, at land, now or formerly, of Owen W. Jr. & Nancy I. Kennedy;

Thence N. 65° 08′ 15" W., 129.23 feet, by the stone wall, to a point therein;

Thence N. 66° 13′ 21" W., 217.99 feet, by the wall, crossing a small gap therein and continuing by the wall, to a point therein;

Thence N. 74° 05′ 35" W., 48.65 feet, by the stone wall, to a point therein;

Thence N. 71° 57′ 53" W., 61.02 feet, by the wall, to a point at the terminus of the wall section;

Thence N. 75° 34′ 34" W., 135.04 feet, running through a small wall and to a drill hole found at a point in another wall, at land, now or formerly, of Herbert F. & Astrid P. Cronin, the last five courses being by land, now or formerly, of O.W. Jr. & N.I. Kennedy;

Thence N. 06° 33′ 04" E., 309.67 feet, by the stone wall, to a point therein;

Thence N. 04° 54′ 58" E., 277.41 feet, by the wall, to a point at its northerly terminus;

Thence N. 06° 12′ 11" E., 147.54 feet, by land, now or formerly, of H.F. & A.P.Cronin, to an iron rod found at a corner;

Thence N. 51° 30′ 25" W., 60.30 feet, by land, now or formerly, of Cronin, to a point in the southeasterly end of another stone wall;

Thence On the same bearing, 111.30 feet, by the stone wall, to a drill hole found in another wall corner;

Thence S. 43° 33′ 35" W., 248.44 feet, by the wall, to a point therein;

Thence S. 43° 52′ 38" W., 194.38 feet, by the wall, to a point therein;

Thence S. 44° 29′ 06" W., 140.75 feet, by the wall, to a point therein;

Thence S. 42° 57′ 01" W., 210.90 feet, by the wall, to a point at the southwesterly end of the wall;

Thence S. 50° 21′ 28" W., 47.97 feet, crossing the gap in the wall, to an iron pipe found at the southeasterly end of another wall, at a corner of lands, now or formerly, of Vincent A. & Linda L. Montiverdi, and of Steven E. & Catherine M. Phillips, the last ten courses being by land, now or formerly, of H.F. & A.P. Cronin;

Thence N. 19° 39′ 41" W., 273.10 feet, by the wall, to a point therein;

Thence N. 20° 05′ 20" W., 118.28 feet, by the wall, to a drill hole found at the southeasterly corner of land, now or formerly, of Maynard W. & Margaret A. Tardy, the last two courses being by land, now or formerly, of S.E. & C.M. Phillips;

Thence N. 20° 43′ 39" W., 162.17 feet, by the wall, to a point therein;

Thence N. 18° 44′ 03" W., 128.55 feet, by the wall, to a point therein;

Thence N. 20° 34′ 43" W., 255.04 feet, by the wall, to a drill hole set at the northwesterly end of the wall, at the northeasterly corner of land, now or formerly, of M.W. & M.A. Tardy, and at a point in the southerly line of land, now or formerly, of George A. & Carolyn C. Stowe, the last three courses being by land, now or formerly, of Tardy;

Thence N. 67° 24′ 51" E., 202.23 feet, partially by land, now or formerly, of G.A. & C.C. Stowe, entering a rock wall and running partially by land, now or formerly, of Charles A. & Marilyn J. Dalton, to an angle point in said rock wall;

Thence N. 18° 32′ 33" E., 9.85 feet, by the rock wall, to a point at an angle therein;

Thence N. 65° 51′ 54" E., 28.27 feet, by the rock wall, to a point therein;

Thence N. 62° 57′ 34" E., 198.34 feet, by and through the rock wall and through wall remnants, to an iron pipe found at an angle in the line;

Thence N. 37° 26′ 37" E., 133.91 feet, by stone wall remnants, to an iron pipe found at the southwesterly end of another stone wall segment, said pipe marking the southeasterly corner of land, now or formerly, of C.A. & M.J. Dalton, and the southwesterly corner of land, now or formerly, of John P. & S. Susan Lane, the last four courses being by land, now or formerly, of Dalton;

Thence N. 35° 48′ 10" E., 162.28 feet, by the stone wall, to a point therein;

Thence N. 48° 03′ 05" E., 21.05 feet, by the wall, to a point therein;

Thence N. 33° 59′ 35" E., 70.45 feet, by the wall, to a point therein, the last three courses being by land, now or formerly, of J.P. & S.S. Lane;

Thence N. 42° 12′ 27" E., 70.18 feet, by the stone wall, partially by land, now or formerly, of Lane, and partially by the southeasterly line of Linden Street, to a point at a small gap in the wall;

Thence N. 46° 49′ 50" E., 45.73 feet, across the gap in the wall and continuing by the wall and the street line, to a point therein;

Thence N. 40° 32′ 12" E., 92.70 feet, by the wall and the street line, to a point at an angle therein;

Thence N. 53° 47′ 20" E., 154.51 feet, by the street line and the stone wall, to an iron pipe found therein;

Thence N. 54° 11′ 17" E., 125.29 feet, by the street line and the wall, to another iron pipe found at the end of the wall;

Thence N. 59° 01′ 52" E., 286.37 feet, by the southeasterly line of Linden Street, to the first mentioned iron rod set at the southwesterly corner of the intersection of Linden and Cross Streets, being the point and place of beginning.

Containing 40.45 acres, as shown upon a plan of the "Kaitz" Parcel entitled "Plan of Land In Boylston, Massachusetts Prepared For Mt. Pleasant Country Club, Inc. 369 Cross Street Boylston, Mass. 01505," dated June 9, 1998, prepared by Thompson-Liston Associates, Inc., Stephen J. Pflug, P.L.S., which plan shall be recorded with Worcester District Registry of Deeds and made a part of this order at a later date.

The total calculated area of the two parcels taken in fee herein and hereby, described above as Parcels 1 & 2, is 59.8123 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Central Street, Stiles Road, Cross Street and Linden Street which may be held by the supposed owner as a result of its ownership of the property above described as Parcels 1 & 2, and being most of the southerly portion of the first parcel, and all of the fourth parcel, of the same premises described in a deed from Leo Kaitz et ux to Mount Pleasant Country Club, a Massachusetts Corporation, dated April 27, 1955 and recorded with Worcester District Registry of Deeds in Book 3675, Page 581.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Mount Pleasant Country Club, Inc. a Massachusetts Corporation	$ 748,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $963,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:58 a.m., to meet on Wednesay, June 18, 1998, at 8:00 a.m.

William F. Pushard
Secretary

Record of the Three Thousand Eight Hundred and Fifty Fourth (3854th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 18, 1998 at 8:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on June 4, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P98-1931-C1A, dated June 18, 1998, with John Associates, Inc., for Replacement of Translucent Roof Panels at the Emmons-Horrigan-O'Neill Rink, Charlestown, MA.

2. Contract No. P89-1561-C8A, dated June 18, 1998, with Northern Tree Service, Inc., for 1998 Cherry Tree Planting.

3. Contract No. P98-1942-M1A, dated June 18, 1998, with Northern Tree Service, for Fertilization of Trees.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Mr. Faucher and Ms. Pomorska, March 31, recommending the following on Contract No. P96-1837-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts -
(a) That work be accepted as completed as of February 13, 1998.
(b) That Estimate No. 25 (Final), in the amount of $8,542.86, be approved for payment.
(c) That reserve, in the amount of $10,762.22, be approved for payment.
(Basis of Award - $387,440.00)
(Amount to Date - $478,744.00)
(Contract Performance Rating - 4.83)
(EEO Compliance - 3.80)
The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P96-1837-M1A, be and hereby is accepted as completed as of February 13, 1998.
The Commission further V O T E D: to approve Estimate No. 25 (Final), in the amount of $8,542.86, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $10,762.22, for payment.

4. Report of Mr. Faucher and Ms. Pomorska, May 28, recommending approval of the following on Contract No. P98-1929-C1A, with Coviello Electric & General Contracting Co., Inc., for Installation of Traffic Signal Systems, Day Boulevard at O & P Street, South Boston -
Extra Work Order No. 1 - installation of two Microwave Detectors - $4,744.04.
Funding from Account No. 2490-0017

Alteration No. 1 - replacement of four regular sized handicap ramps to oversized wheel chair ramps - $4,120.00 ($2,000.00 of the cost of the Alteration will be from unused quantities in Item No. 14 - Handicap Ramp - remaining cost of $2,120.00 will be funded from Account No. 2490-0017.

(The contract cost will be increased by a sum of $6,864.04).

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $4,744.04.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of $4,120.00.

1. Report of Messrs. Faucher, Brooks, Haider and Park, May 28, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, on Contract No. P98-1941-C1A, with Gibson's Roofs, Inc., for Roof Replacement at the Stoneham Central Services Garage, Stoneham, MA -

1.	remove three skylights and close hole with 18 gauge steel decking - includes labor and materials.	- $ 800.00
2.	remove three exhaust fans and close holes with 18 gauge steel deck cap electrical wire - includes labor and materials.	- $ 700.00
3.	install new drain pipe - labor and materials.	- $1,600.00
4.	install two new louvers on high wall labor and materials.	- $1,100.00
	Total =	$4,200.00

The cost of the Extra Work Order was offset by a credit for work in the amount of $4,200.00 which did not have to be performed at a total cost of $4,200.00.

The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P98-1941-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $4,200.00.

2. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, June 5, recommending approval and ratification of the action of Acting Director Faucher resulting in the following on Contact No. PL-82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park -

Alteration No. 4	$30,120.47
Relocation of two Boston Water and Sewer Commission 16" water lines	
Extra Work Order No. 1	$16,068.48
Relocation of existing telephone lines	
Extra Work Order No. 2	$ 7,265.63
removal of obstructions encountered during the installation of Pressure Injected Footings	
Total =	$53,454.58

Account No. 2449-6033.

The Commission V O T E D: to approve and ratify the action of

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Acting Director Faucher which resulted in Alteration No. 4, Extra Work Order No. 1 and Extra Work Order No. 2, on Contact No. PL-82-1022-C1A.
The Commission further V O T E D: to approve Alteration No. 4, in the amount of $30,120.47.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $16,068.48.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $7,265.63.

1. Report of Messrs. Faucher and Brooks, June 8, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities for repairs to deck and walls at Melrose Pool, on Contract No. P97-1887-M1A, with Allied Weatherproofing Co., Inc., for Service and Repairs to All MDC Swimming Pools and Service Buildings Within the Metro Parks System, as follows -

Item No. 002-005 Saw Cutting Bituminous Concrete	$ 36.00
Item No. 002-006 Saw Cutting Cement Concrete	$ 965.00
Item No. 002-009 Remove and Reset Service Boxes	$ 300.00
Total =	$1,301.00

(At no increase in contract cost as the revisions will be offset by unused quantities in Item No. 007-001 and 007-002 - Technical Service and Labor Apprentice).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1887-M1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $1,301.00.

2. Report of Messrs. Faucher, Brooks and Haider, June 10, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1963-M1A, for Maintaining of Elevators at Various MDC Facilities within the Metro Park System.
Estimated cost - $56,600.00.
FY1999 - $28,300.00.
FY2000 - $28,300.00.
Contingent upon availability of funds via the budgetary process in Account No. 2440-0010 for each Fiscal Year.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1963-M1A, for Maintaining of Elevators at Various MDC Facilities within the Metro Park System.

3. Report of Miss Overton and Messrs. Faucher and Orfant, June 11, recommending approval of an extension of time from June 30, 1998 to September 30, 1998, for Administrative purposes on Contract No. P96-1839-C1A, with Colonial Surety Company (Surety for Bull Contracting, Inc.), for George's Island Picnic Pavilion, under provisions of Article XXII. The extension will in no way affect the liquidated damage provisions of Article XXI that may be due the Commission. This extension of time shall not operate as a

waiver on the part of the Commission nor any of its rights under the Contract.
The Commission V O T E D: to approve an extension of time from June 30, 1998 to September 30, 1998, for Administrative purposes on Contract No. P96-1839-C1A, with Colonial Surety Company (Surety for Bull Contracting, Inc.), for George's Island Picnic Pavilion, under provisions of Article XXII, as recommended by Miss Overton and Messrs. Faucher and Orfant in their report of June 11, 1998 and that this extension of time will in no way affect the liquidated damage provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission nor any of its rights under the Contract.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn and Ms. Carr, June 4, submitting for approval Project No. WM99-079-X3A, for Wachusett Watershed Technical Assistance Program; Phase III.
Cost not-to-exceed - $25,000.00.
Time for Performance - one year.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Baratta, May 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM98-061-C1A (97-3H), for Sewer Construction Project Phase III - Holden.
Estimated Cost - $5,700,000.00.
Estimated Duration - twenty three months.
Account No. 2420-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM98-061-C1A (97-3H), for Sewer Construction Project Phase III - Holden.

3. Report of Messrs.McGinn and Baratta, May 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM98-061-C1A (97-5W), for Sewer Construction Project Phase III, West Boylston.
Estimated Cost - $5,500,000.00.
Estimated Duration - twenty three months.
Account No. 2420-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM98-061-C1A (97-5W), for Sewer Construction Project Phase III, West Boylston.

4. Report of Messrs. McGinn and Baratta, May 20, requesting approval of Amendment No. 4, for an increase in compensation of $56,290.00, due to the need to include design for the Cambridge Street Relief Sewer, Worcester, on Contract No. WM97-061-D1A, with Weston and Sampson Engineers for Master Sewer Design - Phase

II, West Boylston and Holden.
Account No. 2420-1400.
The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Baratta, May 13, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission a Master Grant Agreement, (Project No. WM97-061-X9R), which Reimburses the Town of Holden for Sewer Construction in Main Street and related services for construction in an amount not-to-exceed $600,000.00.
Account No. 2420-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Master Grant Agreement, (Project No. WM97-061-X9R).

Action was taken upon the following Various Matters:

2. Report of Mr. Brown, April 6, on behalf of an Administrative Hearing Committee recommending that the Commission assess a financial sanction against G.V.W., Inc., in the amount of $40,000.00, for non-compliance with the MBE/WBE contract provisions, on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
The Commission V O T E D: Delete from Agenda.

2. Report of Mrs O'Brien and Mr. Corsi, June 12, requesting approval and execution of Amendment No. 2, on Contract Agreement No. PL92-007-S1A, with Goody, Clancy & Associates, Inc., for Charles River Basin Master Plan, as follows -
1. Aerial photography and related base mapping services - that portion of the Charles River Basin within Watertown - $14,858.62.
2. A study to examine rehabilitated and restoration options for the Lee Pool - $48,760.56.
3. A. A scope of work for a wetland restoration and management plan - $8,158.84.
   B. An additional eight public subcommittee meetings - $9,475.92.
   C. Development of site specific studies within the project area - $18,001.90
   D. Subcommittee meetings to provide for public comment on the Draft Master Plan - $25,304.00.
   E. To transfer the total contract amount for Catherine Donaher & Associates from her Task 6 - Implementation ($7,453.52, a net decrease of $46.48).
   F. To provide handout materials for twenty four public meetings - $14,700.00.
   G. Graphic designer for preparation of the Master Plan and Executive Summary documents - $7,500.00
   H. Traffic Counts - $1,596.00.

Total Cost of Amendment No. 2 - $148,309.36.
Account No. 2410-7872 - $99,548.80.
Account No. 2440-0110 - $48,760.56.
The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 2, dated June 18, 1998, on Contract Agreement No. PL92-007-S1A, with Goody, Clancy & Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Commissioner Balfour, June 15, recommending that the Commission vote to name the section of Embankment Road (inbound) from Arlington Street to Mount Vernon Street, Boston, in honor of David Mugar.
The Commission V O T E D: Approved as recommended by Commissioner Balfour in his report of June 15, 1998.

2. Report of Mr. McDonald, June 15, requesting that the Commission vote to adopt the Policy For Refund/Cancellation of Permit Fees paid by Commercial Vendors to the MDC.
The Commission V O T E D: to adopt the Policy For Refund/ Cancellation of Permit Fees paid by Commercial Vendors to the MDC, as requested by Mr. McDonald in his report of June 15, 1998.

3. Report of Mr. McDonald, June 18, requesting approval and execution of an Agreement between G.V.W, Inc., and the MDC. The Agreement provides for a $5,000.00 sanction against G.V.W, Inc., for its failure to comply with the MBE requirements on Contract No. P97-1874-C1A - Improvements to the William A. Connell Rink and Pool, Weymouth.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated June 18, 1998, between G.V.W, Inc., and the MDC, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

4. Report of Mr. Doak, June 15, submitting for approval and execution Agreement between the MDC and Slopes Inc., for a pilot summer recreation program at the Blue Hills Ski Area in Canton.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated June 18, 1998, between the MDC and Slopes Inc., which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, June 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.4 acres of land owned by Margarite B. Drake, et als, heirs of Millard Leon Drake, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $18,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.4 acres of land owned by Margarite B. Drake, et als, heirs of Millard Leon Drake, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 18, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Hyde Park District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the northwesterly end of Gordon Avenue, bounded on the easterly, southerly and westerly sides by lands of the Commonwealth of Massachusetts, Metropolitan District Commission known as Stony Brook Reservation, and bounded on the northerly side by land supposed to belong the the City of Boston, more particularly bounded and described as follows:

The remaining portion of the sixth lot on a plan of woodland at Muddy Pond Dorchester, belonging to the Estate of Edward Sharp, drawn January 27, 1856, and recorded with Norfolk County Registry of Deeds in Book 274, Page 104.

Said lot is bounded on its westerly side by a portion of the original lot six, being the second subdivision of the original lot executed by the Commonwealth of Massachusetts, acting through its Metropolitan Parks Commission, in an order of taking dated August 19, 1896, recorded, together

with the concurrence of the Board of Park Commissioners of the Town of Hyde Park, with the Norfolk County Registry of Deeds on September 11, 1896, in Book 768, Page 583.

This taking of a 13,020 square feet parcel from Clifton S. and William M. Thompson is shown upon sheet one of a two-sheet plan entitled "Metropolitan Park Commission Plan Of Abandonments & Additional Takings in STONY BROOK RESERVATION Hyde Park, Mass.," dated June 13, 1896, prepared by Olmsted Olmsted & Eliot Landscape Architects and signed by William Pierce, Engineer for the MPC, said plan being designated Metropolitan Parks Commissioners Plan No. 73, which plan is on file with the Metropolitan District Commission, the statutory successor the the MPC, at its headquarters located at 20 Somerset Street, Boston, MA. Said plan is also recorded with Norfolk County Registry of Deeds as Plan 858 in Plan Book 19.

The above cited taking established the westerly line of the parcel in a series of straight lines and curves totaling 410 feet, more or less.

The prior MPC order of taking, dated September 6, 1894, and recorded with Norfolk County Registry of Deeds, together with the concurrence of the Board of Park Commissioners of the Town of Hyde Park, on October 19, 1894, in Book 723, Page 41, removed the westernmost portion of the original sixth woodlot cited above from the premises herein being described. This first taking is shown upon a plan entitled "STONY BROOK RESERVATION -HYDE PARK SECTION- Boundary of lands taken", dated August 1894, prepared by Olmsted Olmsted & Eliot Landscape Architects, surveyed by George L. Richardson, Hyde Park, Mass., a copy of which was recorded with Norfolk County Registry of Deeds, concurrent with the order of taking, and a copy of which is on file with the MDC at its headquarters, as MPC Plan No. 14.

The southerly line of the property is described in prior deed descriptions as "Southerly by land formerly of Noah Withington 464 feet, more or less". This abutting parcel was acquired by the Commonwealth of Massachusetts, acting through its Metropolitan District Commission, in an order of taking from Reva Goode, Trustee of G & O Realty Trust, dated June 28, 1990, recorded, together with the concurrence of the Board of Park Commissioners of the City of Boston, with the Suffolk County Registry of Deeds on June 29, 1990, in Book 16355, Page 264.

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This order acquiring 17.55 acres, more or less, references land shown upon a plan entitled "Plan of Part of the Grew Estate, Hyde Park & West Roxbury, Mass.", dated March 8, 1928, prepared by Ernest W. Branch, Civil Engineer, which plan is recorded with Suffolk County Registry of Deeds, and referenced in Book 5004, Page 61.

This taking recites a course "NORTHWESTERLY by land formerly of Thompson, by two lines 227.40 feet and 231.60 feet respectively" which course describes the southerly line of the parcel herein being described.

This parcel abutting the premises herein being described along its southerly side is listed by the City of Boston Assessing Department as Ward 18, Parcel 11443-000.

The easterly line of the parcel herein being described was recited in prior deed descriptions as "Easterly by land now or formerly of the Second Church of Dorchester 240 feet, more or less."

Most of this abutting property, formerly of the Second Church of Dorchester, was acquired by the Commonwealth of Massachusetts, acting through its Metropolitan District Commission, in an order of taking from Dianne G. Rayner, a/k/a/ Dianne G. Nolbish Rayner, Trustee of the Stoney Brook Reservation Realty Trust, dated June 9, 1994, recorded on July 1, 1994, together with the concurrence of the Board of Park Commissioners of the City of Boston, with the Suffolk County Registry of Deeds in Book 19170, Page 105.

This abutting parcel of 440,882 square feet, or 10.12 acres, more or less, which abutts the entire easterly side of the parcel herein being described, is listed by the City of Boston Assessing Department as Ward 18, Parcel 11445-000.

Prior deed descriptions of the parcel herein being described recite the northerly course as "Northwesterly by lot # 5 on a plan of Woodland at Muddy Pond Dorchester, belonging to the Estate of Edward Sharp, drawn Jan. 27, 1856 and recorded in Norfolk Deeds, Book 274, Page 104." This land, abutting the parcel herein being described on the north, is supposed to be land of the City of Boston, and is listed by City of Boston Assessing Department as Ward, 18 Parcel 11446-000, containing 87,120 square feet, or 2 acres, more or less.

The above described premises are shown upon a plan entitled "Plan Of Land In Hyde Park, Mass. Owned By Edgar H. Thompson", dated Sept. 1913, prepared by E.B. & C.L. Hayward Civil Engineers, Scale 1 In.= 40 FT., a copy of which plan is on file in the Real Property Office of the Metropolitan District Commission, at 20 Somerset Street, Boston, MA.

The above described parcel contains 104,544 square feet, or 2.40 acres, more or less, according to City of Boston Assessing Department calculations, listed as Ward 18 Parcel 11444-000.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Sarah E. Chaisson and Sadie May Lorrie, Trustees, to Albertine C. Drake recorded with Suffolk County Registry of Deeds in Book 5352, Page 390. See also probate of the Estate of Albertine C. Drake, Suffolk County Probate No. 425747. See also probate of the Estate of Millard L. Drake, Plymouth County Probate No. 96-TO846.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

This order of taking is made subject to a tax taking made by the Collector-Treasurer of the City of Boston against Millard L. Drake, dated September 12, 1995, and recorded with Suffolk County Registry of Deeds in Book 20141, Page 199, and also subject to a petition of the Collector of Taxes of the City of Boston to the Land Court Department of the Trial Court, dated May 7, 1997, to foreclose the tax lien as recorded with said Deeds in Book 21387, Page 212. See Land Court Docket Case # 113321.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Margarite B. Drake, et als, heirs of Millard B. Drake, Plymouth County Probate No. 96-TO846	$ 18,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $18,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.5619 acres of land owned by Dorothy T. Glott, located in the Town of Saugus, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.5619 acres of land owned by Dorothy T. Glott, located in the Town of Saugus, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 18, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Saugus in the County of Essex and Commonwealth of Massachusetts, namely:

Seven certain contiguous parcels of land lying on the westerly side of Banfield Avenue, at its intersection with the westerly terminus of Saugus Avenue, more particularly bounded and described as follows:

Lots 159 through 165 inclusive, shown upon Section A of a "Plan of Land In Bonair," prepared by E.G. Mann, Civil Engineer, dated June 20, 1907, and recorded with Essex South Registry of Deeds as Plan 33 in Plan Book 16.

The above described premises are shown upon Saugus Assessors Map F3, Block 12, as Lot 1, which is supposed to contain 24,476 square feet, more or less, or 0.5619 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Banfield Avenue and Saugus Avenue which may be held by the supposed owner as a result of her ownership of the above described property, and being the same premises described as the second group of lots in a deed from Harold E. Dodge, Treasurer of the Town of Saugus to Dorothy T. Glott, dated October 1, 1945, and recorded with Essex South Registry of Deeds in Book 3425, Page 182.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Saugus, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Dorothy T. Glott	$ 50,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.326 acres of land owned by Andrew S. Chong, Trustee of YKC Revocable Trust, and/or The Trust for Public Land, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $92,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.326 acres of land owned by Andrew S. Chong, Trustee of YKC Revocable Trust, and/or The Trust for Public Land, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 18, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Dorchester District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Edgewater Drive, between said Drive and lands, now of the Neponset River Reservation of the Commonwealth of Massachusetts, Metropolitan District Commission, formerly of Tileston and Hollingsworth and/or Angelia Bird, abutting the Neponset River, more particularly bounded and described as follows:

That certain parcel of land, shown as Lot three upon a subdivision plan drawn by Joseph Selwyn, Surveyor, dated November 16, 1963, as approved by the Court, filed in the Land Registration Office of the Land Court as Plan No. 24211-C, a copy of a portion of which is filed with Certificate of Title No. 71975 in the Suffolk Registry District.

The above described land is subject to, and has the benefit of the terms of a stipulation between John Philopoulos and the City of Boston, filed with the papers in Case No. 24211 on April 29, 1954, a copy of which is filed with the Suffolk Registry District as Document No. 221713-A, pertaining to the City of Boston easement as shown on said plan.

The above described land is subject to the flow of a natural water course running through the same and shown on said plan as Oakland Brook.

The above described land is subject to such flowage rights as may exist at date of original decree.

The above described land is also subject to a right of way reserved in a grant made by the Commonwealth of Massachusetts to John Philopoulos, pertaining to a dam, dated August 17, 1950, duly recorded with Suffolk County Registry of Deeds in Book 6632, Page 173.

The above described land contains 0.326 acres, more or less, as listed by the Assessing Department of the City of Boston, and carried upon the tax rolls as Parcel 1161-1 in Ward 18, located at # 10 Edgewater Drive.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Edgewater Drive which may be held by the supposed owner as a result of its ownership of the above described property, and being the same premises described in a deed from Blanchard Mattapan, Inc., to Andrew S. Chong, Trustee of YKC Revokable Trust, dated November 5, 1993, registered in the Suffolk County Registry District as Document No. 507072, Certificate No. 107868, Registration Book 535, Page 68.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Andrew S. Chong, Trustee YKC Revocable Trust and/or the Trust For Public Land	$ 92,000.00

Document No. 507072
Certificate No. 107868
Registration Book 535, Page 68

The Commission further V O T E D: to approve an award of damages in the amount of $92,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.3657 acres of land owned by Edwin A. Walkey and/or The Trust for Public Land, located in the Town of Saugus, Massachusetts, and to approve an award of damages in the amount of $500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.3657 acres of land owned by Edwin A. Walkey and/or The Trust for Public Land, located in the Town of Saugus, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 18, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Saugus in the County of Essex and Commonwealth of Massachusetts, namely:

Six certain parcels of land lying on the southerly side of Water Street, between said Street and lands, now or formerly, of Cedar Glen Golf Club, near and partially abutting the Saugus River, the first two, and the last four of which are contiguous, more particularly bounded and described as follows:

Lots 1,2,4,5,6 & 8 shown upon a plan entitled "Plan of Land 170 Water Street Saugus, Mass. Prepared For Esther A. Walkey & Edwin A. Walkey By Otte & Dwyer, Inc. Land Surveyors," dated March 22, 1996, stamped and signed by Theodore E. Dwyer, R.L.S., which plan is recorded with Essex Southern District Registry of Deeds as Plan 98 in Plan Book 310, recorded September 24, 1996, with deed of Edwin A. Walkey to Edwin A. Walkey and Lorraine R. Walkey recorded in said Deeds in Book 13768, Page 93, said lots in total containing 103,051 square feet, more or less, or 2.3657 acres, more or less.

With the exception of Lot 7, a parcel of 2,307 square feet, more or less, conveyed by Edwin A. Walkey to Edwin A. Walkey & Lorraine E. Walkey, in a deed dated 24 September 1996, recorded with said Deeds at Book 13768, Page 93, and Lot 3, a parcel of 20,430 square feet, currently under agreement for sale by Edwin A. Walkey to certain unnamed private individuals, the above listed Lots are all of the property shown upon the above cited plan.

Three other Lots, earlier severed and conveyed from the locus, shown as Lots 1,2 & 3, upon a plan entitled "Plan Of Land In Saugus, Mass. Drawn For John E. Walkey," dated April 1965, prepared by Henry C. Seaver, R.L.S., which plan was recorded with said Deeds on June 28, 1965 with Deed of John E. Walkey to David G. Hogan et al, Book 5279, Page 769, Filed as Plan No. 330 of 1965, said Lots containing 66,400 square feet, in total, are the only other parcels of land, other than Lots 3 & 7, as referenced above, excluded from the locus lands described above. The "parent parcel" from which the Lots on both plans were drawn, containing originally 192,188 square feet, more or less, or 4.412 acres, more or less, is described in a deed from Joseph H. Smith to John E. Walkey, dated October 1, 1963 and recorded with said Deeds at Book 5109, Page 404.

The six lots taken hereby contain, in total, 103,051 square feet, more or less, or 2.3657 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Water Street and and and all interests in the waters of, or the land beneath, the Saugus River which may be held by the supposed owner as a result of the ownership of the above described property, and being most of the same premises described in a deed from Esther A. Walkey to Esther A. Walkey and Edwin A. Walkey, as joint tenants, dated April 18, 1994, and recorded with Essex Southern District Registry of Deeds in Book 12544, Page 404.

The above described property is represented upon Saugus Assessors Sheet C16, Block 1, as most of Parcel 15.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Saugus, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Edwin A. Walkey and/or The Trust For Public Land	$ 500,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.469 acres of land owned by Edwin A. Walkey and/or The Trust for Public Land, and/or David Swimm and Teresa Brune, located in the Town of Saugus, Massachusetts, and to approve an award of damages in an amount not to exceed $137,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.469 acres of land owned by Edwin A. Walkey and/or The Trust for Public Land, and/or David Swimm and Teresa Brune, located in the Town of Saugus, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 18, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Saugus in the County of Essex and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Water Street, between said Water Street and lands now or formerly of Cedar Glen Golf Club, near and partially abutting the Saugus River, more particularly bounded and described as follows:

Lot 3 as shown upon a plan entitled "Plan of Land 170 Water Street Saugus, Mass. Prepared For Esther A. Walkey & Edwin A. Walkey By Otte & Dwyer, Inc. Land Surveyors," dated March 22, 1996, and prepared by Theodore E. Dwyer, R.L.S., which plan is recorded with Essex Southern District Registry of Deeds as Plan 98 in Plan Book 310.

The Lot taken hereby contains 20,430 square feet, or 0.469 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Water Street and any and all interest in the waters of, or the land beneath, the Saugus River which may be held by the supposed owner, as a result of ownership of the above described property, and being most of the same premises described in a deed from Esther A. Walkey to Esther A. Walkey and Edwin A. Walkey, dated April 18, 1994, and recorded with Essex Southern District Registry of Deeds in Book 12544, Page 404.

The above described property is represented upon Saugus Assessors Sheet 16C, as Lot 21.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Saugus, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Edwin A. Walkey and/or The Trust for Public Land and/or David Swimm and Teresa Brune	An amount not to exceed $ 137,500.00

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The Commission further V O T E D: to approve an award of damages in an amount not to exceed $137,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 8:55 a.m., to meet on Thursday, June 25, 1998, at 9:00 a.m.

William F. Cronin
Secretary

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Record of the Three Thousand Eight Hundred and Fifty Fifth (3855th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 25, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 10, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Amendment, dated June 25, 1998, to Contract-Agreement No. WM97-091-X1A, with Worcester County Conservation District, which funds Tristan Lundgren as a Research Analyst to work on Phase II of the Pure Water Stewardship Committee.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Sacco, May 28, recommending approval and ratification of the action of Acting Director Faucher resulting in **Alteration No. 1** - a cast-in-place concrete box culvert - at a cost of $206,488.29, to be paid directly to the Contractor by the City of Lynn - at no cost to the Commission - and approval of -
Extra Work Order No. 8 - for removal of two old steel flag poles and foundations and replacement with a new flag pole - at a cost of $5,194.99 - at no increase in contract cost as the Extra Work will be offset by unused quantities in other items.
Extra Work Order No. 9 - for fabrication and installation of a trash rack for the Lynn Water and Sewer Commission - at a cost of $99,484.24 - to be paid for by the City of Lynn, on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive, Lynn.
The Commission V O T E D: to approve and ratify the action of Acting Director Faucher which resulted in Alteration No. 1, in the amount of $206,488.29, on Contract No. P85-1341-C1A, to be paid directly to the Contractor by the City of Lynn, at no cost to the Commission.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $5,194.99.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $99,484.24.

3. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, June 18, recommending approval of Alteration No. 5 - for changes to nautilus stairway - at a cost of $1,774.10, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, Boston.
(At no increase in Contract cost as the Alteration will be offset by unused quantities in Item No. 003-040 - ("Crushed Run Stone").
The Commission V O T E D: to approve Alteration No. 5, in the amount of $1,774.10.

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1. Report of Messrs. Faucher, Brooks and Martinez, June 16, recommending approval of an extension of time from November 30, 1997 to August 31, 1998, for administrative purposes in order to resolve a Claim, on Contract No. PL97-1892-C1A, with Great Northern Corporation, for Demolition of the James E. Phelan Memorial Pool, West Roxbury.
The Commission V O T E D: to approve an extension of time from November 30, 1997 to August 31, 1998, for administrative purposes, as recommended by Messrs. Faucher, Brook and Martinez in their report of June 16, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Higgott, June 15, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for providing an Emergency Culvert Gate Support System on Lock No. 3, River End, Boston Side, for the 72" x 84" Culvert Gate - at a cost of $9,800.00, on Contract No. P98-1940-C1A, with Tasco Construction Company, Inc., for Removal/Replacement of Gates at the Charles River Dam.
Account No. 2440-8950.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P98-1940-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $9,800.00.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, June 23, recommending approval of the action of Director McGinn during an emergency condition at the Blue Hills Reservoir Dam on June 18 and June 19, 1998, which resulted in engaging the services of GZA GeoEnvironmental, Inc., and Wes Construction Corp., to assist staff with emergency work at the site and in the immediate future at a cost of $60,000.00 to $80,000.00.
Messrs. McGinn and Kane further recommend that the Commission authorize negotiations with GZA GeoEnvironmental, Inc., and Wes Construction Corp., for work done to date and any additional work required to assure safety of the public.
(Funding source to be determined).
Associate Commissioner Wu noted that Mr. Kane stated in his memo to the Commission, that the Massachusetts Water Resources Authority (MWRA) declined to accept responsibility for taking corrective action at the Dam.
Mr. Kane explained that in the Memorandum of Agreement between the MWRA and the MDC, which designated responsibility for operation and maintenance of various facilities, it appeared that the Blue Hills Reservoir was under the care and control of the MWRA.
He further stated that to the best of his understanding, when the reservoir was taken off line by the MWRA, it appeared that they walked away from the facility without consulting with the MDC as

to who would be responsible for maintenance and operation of the reservoir.
Mr. Kane then noted that the fencing around the reservoir, as well as the gatehouse, has signs designating it as an MWRA facility.
Additionally, Mr. Kane explained, a representative of the MWRA was on site at approximately 9:30 A.M., on Friday morning June 19, and stated that his agency had taken the lead in notifying other agencies and nearby communities concerning the problem at the reservoir.
At this point, Deputy Commissioner Overton stated that she and Mr. McGinn will meet with interested parties in an attempt to clarify the reservoir's ownership.
Associate Commissioner Wu asked that the MDC move forward in an expedient manner to clarify ownership of the facility.
At this point, the Commission V O T E D: to send a letter of commendation to Mr. William Hoover of GZA GeoEnvironmental, Inc., and Mr. Steven Vogal of WES Construction for their rapid response to Commission requests for technical assistance at the dam to avert a possible threat to public safety.
The Commission further V O T E D: to approve the action of Director McGinn during an emergency condition at the Blue Hills Reservoir Dam on June 18 and June 19, 1998, which resulted in engaging the services of GZA GeoEnvironmental, Inc., and Wes Construction Corp., to assist staff with emergency work at the site and in the immediate future at a cost of $60,000.00 to $80,000.00.
The Commission further V O T E D: to authorize negotiations with GZA GeoEnvironmental, Inc., and Wes Construction Corp., for work done to date and any additional work required to assure safety of the public.

Action was taken upon the following Various Matters:

1. Report of the Concession Selection Committee, April 16, recommending award of the Food Service Concession at Ponkapoag Golf Course, Canton, to Family Affair Catering, Inc., for a period of five years, commencing on a date to be established on or about July 1, 1998.
The Commission V O T E D: Held Over for further information.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

2. Report of Messrs. Jewett and McDonald, June 10, requesting approval of an Amendment to a Contract-Agreement with Preferred Parking, Co., Inc., operator of the MDC Parking areas at Nantasket Beach. The Amendment calls for Preferred Parking Co., Inc., to hire State Police Details to patrol the parking areas temporarily under the control of Preferred Parking Co., Inc., during the evening hours.
Messrs. Jewett and McDonald further request authorization for Secretary Chisholm to execute the Amendment.
The Commission V O T E D: to approve an Amendment to Contract-Agreement with Preferred Parking, Co., Inc., operator of the MDC

Parking areas at Nantasket Beach.
The Commission further V O T E D: authorization for Secretary Chisholm to execute the Amendment.

1. Report of Miss Overton, May 20, requesting approval of a Clean State Audit Program, for comprehensive multi media environmental audits of MDC facilities as mandated by the Governor's Clean State Program.
Cost not-to-exceed - $600,000.00.
FT98-$147,402.00 - 25% of facilities.
FY99-$452,598.00 - 75% of facilities.
Time for Performance - two years.
Account Nos. 2420-7882; 2490-0017; 2440-8963; 2441-9952; 2440-8950; 2444-8842 and 2440-8889.
The Commission V O T E D: Approved as recommended by Deputy Commissioner Overton in her report of May 20, 1998."

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, June 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 6.937 acres of land owned by the City of Quincy, et als, located in the City of Quincy, Massachusetts, for flood control purposes, and to approve an award of damages for this phase of the Town Brook Flood Control Project in an amount not to exceed $250,000.00. Account No. 2440-8840
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 6.937 acres of land owned by the City of Quincy, et als, located in the City of Quincy, Massachusetts, for flood control purposes.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 25, 1998

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 803 of the Acts of 1972, Chapter 1180 of the Acts of 1973, Chapter 147 of the Acts of 1978, and Chapter 723 of the Acts of 1983, and acts in amendment thereof or in addition thereto, and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee, under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, for flood control purposes, the following described land situated in the City of Quincy in the County of Norfolk and Commonwealth of Massachusetts, shown on a plan entitled "Plan of Fee Takings and Easement Acquisition * City of Quincy Massachusetts * for the Town River Improvements Salt Marsh Mitigation * Prepared for Commonwealth of Massachusetts Metropolitan District Commission Engineering and Construction Division," dated June 1993, revised December 1996, and prepared by ASEC Corporation, which plan [hereinafter the "Salt Marsh Mitigation Plan"] shall be recorded with this order or at a later date, and made a part of this order, namely, the following certain parcels supposed to be owned by the following owners.

Parcel No.	Supposed Owner(s)	Area in Square Feet of Fee Taken	Book/Page or LC Cert.
1	Virgina Kelly, et al, Trustees, EM Realty Trust	12,335±	LC Cert. No. 142676
2	Wollaston Lutheran Church Apartments, Inc.	4,100±	LC Cert. No. 110056

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land; provided, however, said Commission does also take and expressly reserve hereby, any rights and easements of record and any appurtenant rights and easements which may benefit the said premises and said flood control project.

AND IT IS FURTHER ORDERED: Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts, for flood control purposes as aforesaid, permanent rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain culverts, channels, pipes, surface conduits and their appurtenances, in, through and under the land situated in said Quincy, as shown on the aforesaid Salt Marsh Mitigation plan, and also as shown on two (2) other plans; a plan entitled "Plan of Easement Acquisitions * City of Quincy Massachusetts * for the Brook Road Conduit * Prepared for Commonwealth of Massachusetts Metropolitan District Commission Engineering & Construction Division," dated May 1993, revised December 1996, and prepared by ASEC Corporation [hereinafter "the Brook Road Conduit Plan"]; and a plan entitled "Plan of Easement Acquisitions * City of Quincy Massachusetts * for the Bigelow Street Relief Conduit * Prepared for Commonwealth of Massachusetts Metropolitan District Commission Engineering & Construction Division," dated April 1994, revised December 1996, and prepared by ASEC Corporation [hereinafter "the Bigelow Street Relief Conduit Plan"], which plans shall be recorded with this order or at a later date in the Norfolk County Registry of Deeds and made a part of this order, namely, the following certain parcels supposed to tbe owned by the following owners.

Certain permanent rights and easements for flood control purposes, as aforesaid, in and to the following parcel, as delineated on the Salt Marsh Mitigation Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Book/Page or LC Cert.
1	City of Quincy	19,520±	LC Doc. No. 65972

Certain permanent rights and interests for flood control purposes, as aforesaid, in and to the following parcels, as delineated on the Brook Road Conduit Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Book/Page or LC Cert.
1	Boston City Properties,	34±	11069/449
2	Arthur E. Simons, et al, Trustees, Fort Granite Realty Trust	756±	6969/720
3	City of Quincy	776±	LC Cert. No. 18335
4	City of Quincy	2,384±	1669/176
6	City of Quincy [School Street]	3,960±	1946/493
7	Arthur E. Simons, et al, Trustees, Brook-Granite Realty Trust	26,292±	7039/661
8	City of Quincy [Booth Street]	6,100±	LC Doc. No. 233370
9	City of Quincy	9,796±	LC Doc. No. 312125

10	City of Quincy [Water Street]	3,355±	LC Doc. No. 312125
11	City of Quincy	1,439±	705/506 2212/391

Certain permanent rights and interests for flood control purposes, as aforesaid, in the following parcels, as delineated on the Bigelow Street Relief Conduit Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Book/Page or LC Cert.
1	City of Quincy	9,214±	3181/233
2	City of Quincy [Revere Road, Thomas J. McGrath Highway, & Washington Street]	11,621±	3609/34 3770/583
3	Overstream, Inc.	111±	11131/649
4A	Alfred Pecce, et als, Trustees, Pecce Family Trust	2,098±	6245/230
4B	Alfred Pecce, et als, as above	9,497±	6245/230
5	City of Quincy [Elm Street]	1,827±	4213/389
6	George J. Parker, Trustee, Margaret Realty Trust	2,242±	9275/659
7	Owners Unknown	3,002±	
8	Owners Unknown	2,240±	

9A	Wollaston Lutheran Church	3,040±	5673/147
9B	Apartments, Inc.	6,275±	5673/149
9C		7,415±	LC Cert. No. 110056
10	Massachusetts Nursing Homes Limited Partnership	1,489±	LC Cert. No. 141314
11	Daniel J. Quirk	1,760±	7652/650
13	Martin X. McDonagh, et al	1,113±	11122/131
14	Helen Budrevich, et al	479±	11191/618

AND IT IS FURTHER ORDERED: That the Metropolitan District Commission by virtue of said power and authority enabling, does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts for the purposes as aforesaid, temporary construction rights and easements in, through and under the land situated in said Quincy, namely, the following certain parcels supposed to be owned by the following owners. Said temporary construction rights and easements hereby taken by the Metropolitan District Commission, specifically include the right to occupy and use for the passage of men and vehicles, the transportation of machinery and materials, and for depositing and storing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited and stored thereon, but in no event later than July 24, 2002, in, on, over and under the certain parcels of land situated in said Quincy as below described.

Certain temporary construction rights and easements for flood control purposes, as aforesaid, in the following parcels, as delineated on the Brook Road Conduit Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Construction Easement Is Taken	Book/Page or LC Cert.
TC-1	Boston City Properties, Inc.	34±	11069/449
TC-2	Arthur E. Simons, et al, Trustees, Fort-Granite Realty Trust	5,990±	6969/720
TC-3	City of Quincy	834±	LC Cert. No. 18335
TC-4	City of Quincy	2,750±	LC Cert. No. 18335
TC-5	Eugene P. Kelley, Jr., Trustee, 20 Fort Street Realty Trust	568±	10809/101
TC-7A TC-7B	Arthur E. Simons, et al, Trustees, Brook-Granite Realty Trust	41,906±	7039/661
TC-16A TC-16B TC-16C	Arthur E. Simons, et al Trustees, Fort-Granite Realty Trust	23,808±	LC Cert. No. 134411
TC-8	City of Quincy [Booth Street]	8,418±	LC Doc. No. 233370
TC-9A TC-9B	City of Quincy	27,262±	LC Doc. No. 312125
TC-11	City of Quincy	20,671±	705/220 2212/391
TC-12	Armando Reggiannini, et als	8±	11491/570
TC-13	Albert F. Brown, Jr., et al	177±	LC Cert. No. 100685
TC-14	Kampo Cheung, et al	466±	LC Cert. No. 141350
TC-15	Peter J. Bagarella, et al	250±	LC Cert. No. 120892

Certain temporary construction rights and easements for flood control purposes, as aforesaid, in the following parcels, as delineated on the Bigelow Street Relief Conduit Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Construction Easement Is Taken	Book/Page or LC Cert.
TC-11A TC-11B	Daniel J. Quirk	4,605±	7652/650
TC-4A TC-4B TC-4C TC-4D	Alfred Pecce, et al, Trustees. Pecce Family Trust	7,558±	6245/230
TC-12	Atco, Incorporated	1,450±	2981/146
TC-14	Helen Budrevich, et al	1,120±	11191/618

Said permanent and temporary rights and easements in the above-described parcels comprising a portion of any street or public way are taken without interference with or prejudice to the rights of the City of Quincy and the public to maintain and use said streets or public ways as public ways, except so far as the same may be inconsistent with the exercise of the rights and easements hereby taken or the use thereof for flood control purposes. All respective rights and easements of the City of Quincy and the public and the owners of record in and to the use of the above-described parcels are hereby reserved for all lawful purposes which are not inconsistent with the use of same for flood control purposes and for the construction, inspection, repair, renewal, replacement, operation and maintenance of said culverts and appurtenances.

No buildings or structures or foundations of buildings or structures or parts thereof shall hereafter be erected, placed or maintained upon any parcel burdened hereby by the permanent flood control rights and easements so taken by the Commission.

ADDENDUM
TOWN BROOK FLOOD CONTROL PROJECT - FY 1998

Fee interest in the following parcels, as delineated on the Town River Improvements Salt Marsh Mitigation plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet of Fee Taken	Award
1	Virgina Kelly, et al, Trustees, EM Realty Trust	12,335±	$ 37,000
2	Wollaston Lutheran Church Apartments, Inc.	4,100±	12,300

Certain permanent rights and interests in the following parcels, as delineated on the Brook Road Conduit Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Award
1	Boston City Properties, Inc	34±	$ 400
2	Arthur E. Simons, et al, Trustees, Fort Granite Realty Trust	756±	3,000
3	City of Quincy	776±	0
4	City of Quincy	2,384±	0
6	City of Quincy [School Street]	3,960±	0
7	Arthur E. Simons, et al, Trustees, Brook-Granite Realty Trust	26,292±	52,600
8	City of Quincy [Booth Street]	6,100±	0
9	City of Quincy	9,796±	0
10	City of Quincy [Water Street]	3,355±	0
11	City of Quincy	1,439±	0

Certain permanent rights and interests in the following parcels, as delineated on the Bigelow Street Relief Conduit plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Award
1	City of Quincy	9,214±	$ 0
2	City of Quincy [Revere Road, Thomas J. McGrath Highway, & Washington Street]	11,621±	0
3	Overstream, Inc.	111±	200
4A	Alfred Pecce, et als, Trustees, Pecce Family Trust	2,098±	3,100
4B	Alfred Pecce, et als, as above	9,497±	14,200
5	City of Quincy and/or Owners Unknown [Elm Street]	1,827±	0
6	George J. Parker, Trustee, Margaret Realty Trust	2,242±	3,400
7	Owners Unknown	3,002±	4,500
8	Owners Unknown	2,240±	3,400
9A	Wollaston Lutheran Church Apartments, Inc.	3,040±	4,600
9B	Wollaston Lutheran Church Apartments, Inc.	6,275±	9,400
9C	Wollaston Lutheran Church Apartments, Inc.	7,415±	11,100
10	Massachusetts Nursing Homes Limited Partnership	1,489±	2,200
11	Daniel J. Quirk	1,760±	2,600
13	Martin X. McDonagh, et al	1,113±	200
14	Helen Budrevich, et al	479±	700

Certain temporary construction rights and easements in the following parcels, as delineated on the Brook Road Conduit plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Construction Easement Is Taken	Award
TC-1	Boston City Properties, Inc.	34±	$ 100
TC-2	Arthur E. Simons, et al, Trustees, Fort-Granite Realty Trust	5,990±	9,700
TC-3	City of Quincy	834±	0
TC-4	City of Quincy	2,750±	0
TC-5	Eugene P. Kelley, Jr., Trustee, 20 Fort Street Realty Trust	568±	2,500
TC-7A TC-7B	Arthur E. Simons, et al, Trustees, Brook-Granite Realty Trust	41,906±	13,400 2,500
TC-16A TC-16B TC-16C	Arthur E. Simons, et al Trustees, Fort-Granite Realty Trust	23,808±	9,000 1,000 2,000
TC-8	City of Quincy [Booth Street]	8,418±	0
TC-9A TC-9B	City of Quincy	27,262±	0
TC-11	City of Quincy	20,671±	0
TC-12	Armando Reggiannini, et als	8±	100
TC-13	Albert F. Brown, Jr., et al	177±	300
TC-14	Kampo Cheung, et al	466±	1,000
TC-15	Peter J. Bagarella, et al	250±	500

Certain temporary construction rights and easements in the following parcels, as delineated on the Bigelow Street Relief Conduit plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Construction Easement Is Taken	Award
TC-11A TC-11B	Daniel J. Quirk	4,605±	$ 18,500
TC-4A TC-4B TC-4C TC-4D	Alfred Pecce, et al, Trustees. Pecce Family Trust	7,558±	15,300
TC-12	Atco, Incorporated	1,450±	5,800
TC-14	Helen Budrevich, et al	1,120±	2,200

Certain permanent rights and easements in the following parcel, as delineated on the Town River Improvements Salt Marsh Mitigation plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Award
1	City of Quincy	19,520±	$ 0

ADDENDUM
TOWN BROOK FLOOD CONTROL PROJECT - FY 1998

Fee interest in the following parcels, as delineated on the Town River Improvements Salt Marsh Mitigation plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet of Fee Taken	Award
1	Virgina Kelly, et al, Trustees, EM Realty Trust	12,335±	$ 37,000
2	Wollaston Lutheran Church Apartments, Inc.	4,100±	12,300

Certain permanent rights and interests in the following parcels, as delineated on the Brook Road Conduit Plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Award
1	Boston City Properties, Inc	34±	$ 400
2	Arthur E. Simons, et al, Trustees, Fort Granite Realty Trust	756±	3,000
3	City of Quincy	776±	0
4	City of Quincy	2,384±	0
6	City of Quincy [School Street]	3,960±	0
7	Arthur E. Simons, et al, Trustees, Brook-Granite Realty Trust	26,292±	52,600
8	City of Quincy [Booth Street]	6,100±	0
9	City of Quincy	9,796±	0
10	City of Quincy [Water Street]	3,355±	0
11	City of Quincy	1,439±	0

Certain permanent rights and interests in the following parcels, as delineated on the Bigelow Street Relief Conduit plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Award
1	City of Quincy	9,214±	$ 0
2	City of Quincy [Revere Road, Thomas J. McGrath Highway, & Washington Street]	11,621±	0
3	Overstream, Inc.	111±	200
4A	Alfred Pecce, et als, Trustees, Pecce Family Trust	2,098±	3,100
4B	Alfred Pecce, et als, as above	9,497±	14,200
5	City of Quincy and/or Owners Unknown [Elm Street]	1,827±	0
6	George J. Parker, Trustee, Margaret Realty Trust	2,242±	3,400
7	Owners Unknown	3,002±	4,500
8	Owners Unknown	2,240±	3,400
9A	Wollaston Lutheran Church Apartments, Inc.	3,040±	4,600
9B	Wollaston Lutheran Church Apartments, Inc.	6,275±	9,400
9C	Wollaston Lutheran Church Apartments, Inc.	7,415±	11,100
10	Massachusetts Nursing Homes Limited Partnership	1,489±	2,200
11	Daniel J. Quirk	1,760±	2,600
13	Martin X. McDonagh, et al	1,113±	200
14	Helen Budrevich, et al	479±	700

Certain temporary construction rights and easements in the following parcels, as delineated on the Brook Road Conduit plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Construction Easement Is Taken	Award
TC-1	Boston City Properties, Inc.	34±	$ 100
TC-2	Arthur E. Simons, et al, Trustees, Fort-Granite Realty Trust	5,990±	9,700
TC-3	City of Quincy	834±	0
TC-4	City of Quincy	2,750±	0
TC-5	Eugene P. Kelley, Jr., Trustee, 20 Fort Street Realty Trust	568±	2,500
TC-7A TC-7B	Arthur E. Simons, et al, Trustees, Brook-Granite Realty Trust	41,906±	13,400 2,500
TC-16A TC-16B TC-16C	Arthur E. Simons, et al Trustees, Fort-Granite Realty Trust	23,808±	9,000 1,000 2,000
TC-8	City of Quincy [Booth Street]	8,418±	0
TC-9A TC-9B	City of Quincy	27,262±	0
TC-11	City of Quincy	20,671±	0
TC-12	Armando Reggiannini, et als	8±	100
TC-13	Albert F. Brown, Jr., et al	177±	300
TC-14	Kampo Cheung, et al	466±	1,000
TC-15	Peter J. Bagarella, et al	250±	500

Certain temporary construction rights and easements in the following parcels, as delineated on the Bigelow Street Relief Conduit plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Construction Easement Is Taken	Award
TC-11A TC-11B	Daniel J. Quirk	4,605±	$ 18,500
TC-4A TC-4B TC-4C TC-4D	Alfred Pecce, et al, Trustees. Pecce Family Trust	7,558±	15,300
TC-12	Atco, Incorporated	1,450±	5,800
TC-14	Helen Budrevich, et al	1,120±	2,200

Certain permanent rights and easements in the following parcel, as delineated on the Town River Improvements Salt Marsh Mitigation plan.

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Award
1	City of Quincy	19,520±	$ 0

The Commission further V O T E D: to approve an award of damages for this phase of the Town Brook Flood Control Project in an amount not to exceed $250,000.00.

Adjourned at 10:00 a.m., to meet on Thursday, July 2, 1998, at 9:00 a.m.

William F. Arsenault
Secretary

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Record of the Three Thousand Eight Hundred and Fifty Sixth (3856th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 2, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 18, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Amendment Nos. 2 and 3, dated July 2, 1998, to Contract-Agreement No. P95-1768-D2A, with Camp Dresser & McKee, Inc. for Licensed Site Professional (LSP) Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Miss Overton and Messrs. Faucher and Orfant, June 24, requesting re-authorization of lapsed Contract No. P97-1881-D2A, with Bourne Consulting Engineering, Inc., for Boston Harbor Islands Pier Repair Project. The contract was originally approved at the Commission Meeting of December 19, 1996. Authorization is requested for Commission Balfour to execute the contract on behalf of the Commission.
Lump sum fee of $22,700.00 (for the bidding and construction phase services and added design and permitting scope).
New completion date - September 30, 1999.
Account No. 2440-8889.
The Commission V O T E D: to re-authorize the lapsed Contract No. P97-1881-D2A, with Bourne Consulting Engineering, Inc., for Boston Harbor Islands Pier Repair Project, as requested by Miss Overton and Messrs. Faucher and Orfant in their report of June 24, 1998.
The Commission further V O T E D: to authorize Commission Balfour to execute the contract on behalf of the Commission.

3. Report of Messrs. Faucher and DiRamio, June 12, recommending approval of the request of B & E Construction Corp., General Contractor, to engage the services of New England Restoration, Inc., as sub-contractor - for reclaiming asphalt and cold planing - at a cost of $32,220.00, on Contract No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston.
(At no additional contract cost).
The Commission V O T E D: Approved.

4. Report of Mr. Faucher and Mrs. Graves-Jones, June 24, on bids for Reconstruction of Traffic Signal System: VFW Parkway at Corey Street, West Roxbury, Contract No. P98-1958-C1A.
(Mr. Faucher and Mrs. Graves-Jones recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co. Inc., of $345,343.00).
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co. Inc., of $345,343.00.

1. Report of Messrs. Faucher and Machado, June 25, recommending authorization for South Shore Fence Co., Inc., General Contractor to engage the services of D'Allesandro Corporation, as sub-contractor for - pavement trimming - unclassified excavation - tree removal - ledge excavation - gravel borrow and Extra Work Order No. 3 - construct reinforced concrete wall, at a cost of $22,000.00, on Contract No. P98-1862-C1A, for Installation of Gates, Guard Rail and Fences, at Various Locations in the Metropolitan Parks System.
(At no increase in Contract cost).
The Commission V O T E D: to authorize South Shore Fence Co., Inc., General Contractor to engage the services of D'Allesandro Corporation, as sub-contractor for - pavement trimming - unclassified excavation - tree removal - ledge excavation - gravel borrow and Extra Work Order No. 3 - construct reinforced concrete wall, at a cost of $22,000.00, on Contract No. P98-1862-C1A, for Installation of Gates, Guard Rail and Fences, at Various Locations in the Metropolitan Parks System.

2. Report of Messrs. Faucher and McCalla, June 3, on bids for Maintenance of Prime Power and Emergency Generators at Various Locations, Contract No. P98-1960-M1A.
(Messrs. Faucher and McCalla recommend acceptance of the only bid received, that of F. M. Emergency Generator Inc., of $84,390.00). They further recommend execution of the Contract by the Commission.
Funding for Fiscal Years 99 and 00 contingent upon sufficient funds being made available in Account Number 2440-0010 through the annual budgetary appropriation process.
The Commission V O T E D: to accept the only bid received, that of F. M. Emergency Generator Inc., of $84,390.00.
The Secretary then submitted for signature Contract No. P98-1960-M1A, dated July 2, 1998, with F. M. Emergency Generator Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Machado, June 26, recommending approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 059-010 - 6 Ft. High Black Vinyl Chain Link Fence - at a cost of $4,274.00, on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System.
Account No. 2490-0017.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantities on Item No. 059-010, at a cost of $4,274.00, on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc.

4. Report of Messrs. Faucher, Brooks and Abounaja, June 29, recommending approval of the following on Contract No. P82-1120-D1A, with Sasaki Associates, Inc., for Drainage System Rehabilitation and Irrigation System for Ponkapoag Golf Course - Amendment No. 6 -
Task 9 - Investigation and Alternatives Analysis.

Task 10 - Design Plans and Specifications.
Task 11 - Dam Rehabilitation Permitting.
Increase in funding for labor $177,970.00 and $23,993.00 for reimbursable direct expenses to cover estimate costs of Task Nos. 9, 10 and 11, Total - $201,963.00
An extension of time from December 31, 1998 to December 31, 2001.
Account Nos. 2440-9844 and 2440-8952.
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and Abounaja in their report of June 29, 1998.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher, Brooks and Abounaja, June 29, recommending approval of the action of Acting Director Faucher resulting in Extra Work Orders on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean-Up at Various MDC Facilities, as follows -
Extra Work Order No. 2 - cost not-to-exceed $1,120.00
furnish and install 4" PVC Drainage Pipe to connect existing roof drain to catch basin at MDC Garage in Stoneham.
Extra Work Order No. 3 - cost not-to-exceed $4,200.00
furnish and install two - 330 gallon above ground fuel storage tanks at the MDC Hall Pool, in Stoneham.
(At no additional Contract cost as the Extra Work Orders will be offset by unused quantities in Item No. 002-007 - Furnish and Install 20,000 gallon underground heating oil fuel tank with accessories).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order Nos. 2 and 3, on Contract No. P95-1789-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 2, at a cost not-to-exceed $1,120.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, at a cost not-to-exceed $4,200.00.

2. Report of Messrs. Faucher and Sacco, June 29, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1971-C4A, for Installation of Traffic Semaphore Gates, Craigie Drawbridge, Boston.
Estimated Cost - $50,000.00.
Time for Performance - three months.
Account No. 2490-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1971-C4A, for Installation of Traffic Semaphore Gates, Craigie Drawbridge, Boston.

3. Report of Messrs. Faucher, Brooks and Park, June 30, recommending that the Commission reject the only bid received, that of J. Marchese & Sons, Inc., of $273,720.00, on Contract No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line Dasher Board Systems for Outdoor Rollerblading, due to the fact that the bid was $33,720.00 over the estimate.

They further request authorization to readvertise the project.
Account No. 2440-8952.
The Commission V O T E D: to reject the only bid received, that of J. Marchese & Sons, Inc., of $240,000.00, on Contract No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line Dasher Board Systems for Outdoor Rollerblading, due to the fact that the bid was $33,720.00 over the estimate.
The Commission further V O T E D: authorization to readvertise the project.

Action was taken upon the following Various Matter:

1. Report of the Concession Selection Committee, April 16, recommending award of the Food Service Concession at Ponkapoag Golf Course, Canton, to Family Affair Catering, Inc., for a period of five years, commencing on a date to be established on or about July 1, 1998.
Associate Commissioner Settles questioned the status of having a compliance staff person monitor the operation of all MDC concessions.
Mr. Jewett responded that the request had been discussed amongst Commission staff, but no decision has been made on how to implement Associate Commissioner Settles recommendation of June 25, 1998.
Mr Jewett then assured the Commission that some form of monitoring will take place in the future.
Commissioner Balfour explained that at the present time, there is no source of funding to hire an additional staff person to perform the duties of overseeing concession operations. However, he noted, he will continue to investigate various ways and means of monitoring all Commission concessions.
Associate Commissioner Carr suggested that where concessions are operated in areas that serve large groups of individuals, questionaires be made available to patrons so that they can comment and rate the food service, prices quality of food, etc.
Associate Commissioner Wu suggested that a notice be placed at each location, stating that it is a Commission facility and user comments would be appreciated concerning the concession operation.
The Commission V O T E D: to award a five year food service concession, at the Ponkapoag Golf Course, to Family Affair Catering, with an annual compensation to be paid to the MDC as follows: 1998
season - $43,500.00 or 16% of the gross (up to $250,000.00 and then 11% from $250,000.00 and up, whichever is greater).
1999 season - $54,500.00 or 16% of the gross (up to $250,000.00 and then 17% from $250,000.00 up).
2000 season - $62,750.00 or 21% of the gross revenues, with no limitations
2001 season - $62,750.00 or 21% of the gross revenues, with no limitations
2002 season - $62,750.00 or 21% of the gross revenues, with no limitations.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 9:55 a.m., to meet on Thursday, July 9, 1998, at 9:00 a.m.

William J. Cuesta
Secretary

Record of the Three Thousand Eight Hundred and Fifty Seventh (3857th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 9, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on June 25, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks, Kane and Haider, July 1, on bids for Relocation and Construction for the Backflow Preventer, Hull, Contract Number P98-1923-C3A.
(Messrs. Faucher, Brooks, Kane and Haider recommend acceptance of the lowest bid received that of ABC Contractors, Inc., of $110,379.52).
Messrs. Faucher, Brooks, Kane and Haider, further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received that of ABC Contractors, Inc., of $110,379.52.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

2. Report of Messrs. Faucher and Jackson, July 1, on bids for Phase 2 Implementation, Rehabilitation of South Boston Beaches, Contract No P95-1784-C3A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of McCourt Construction Co., Inc., of $4,146,962.00).
Messrs. Faucher and Jackson, further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of McCourt Construction Co., Inc., of $4,146,962.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

3. Report of Messrs. Faucher and McCalla, June 4, on bids for Electronic & Sound System Maintenance Work at Sport Facilities, Recreational Areas and MDC Buildings throughout the Metropolitan District, FY1999 & FY2000, Contract No. P98-1961-M1A.
(Messrs. Faucher and McCalla recommended acceptance of the only bid received, that of Coviello Electric & General Contracting Company, Inc., of $425,200.00).
They further recommend execution of the Contract by the Commission. Funding for Fiscal Years 1999 and 2000 contingent upon sufficient funds being made available in Account Number 2440-0010 through the annual budgetary appropriation process.
The Commission V O T E D: to accept the only bid received, that of Coviello Electric & General Contracting Company, Inc., of $425,200.00.

The Secretary then submitted for signature Contract No. P98-1961-M1A, dated July 9, 1998, with Coviello Electric & General Contracting Company, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher and Higgott, June 24, recommending approval of the action of Acting Director Faucher resulting in Extra Work Orders as follows, on Contract Number P98-1940-CIA, with Tasco Construction Company, Inc., for Removal/Replacement of Gates at the Charles River Dam -
Extra Work Order No. 2 **$6,500.00**
Emergency Bulkheads Small Lock No. 1
Extra Work Order No. 3 **not-to-exceed $5,000.00**
Emergency Hydraulic System Evaluation
Account Number 2440-8950
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order Nos. 2 and 3, on Contract Number P98-1940-CIA.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $6,500.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount not-to-exceed $5,000.00.

2. Report of Messrs. Faucher, Brooks and Abounaja, July 1, recommending approval of a revision in quantities on Item Number 003-002 - Crew Shift, at a cost of $20,000.00, on Contract No. P95-1792-C1B, with Environmental Restoration Inc., for Lead Paint Removal at Various MDC Facilities.
Account Number 2440-8885.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Mayhew, June 25, on bids for Building Demolition and Site Improvements, Ocean Avenue, Revere, Contract Number P98-1928-C2A.
(Messrs. Faucher and Mayhew recommended acceptance of the lowest bid received, that of M.R.P. Site Development, Inc., of $52,000.00).
The Commission V O T E D: to accept the lowest bid received, that of M.R.P. Site Development, Inc., of $52,000.00.

4. Report of Messrs. Faucher and Sacco, July 8, on bids for Controlled Dewatering and Related Work at the Granite Rail Quarry, Quincy, Contract No. P98-1930-CIA.
(Messrs. Faucher and Sacco recommend acceptance of the lowest bid received, that of J. F. White Contracting Company, of $553,625.00).
They further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
Account Number 2410-7872.
The Commission V O T E D: to accept the lowest bid received, that of J. F. White Contracting Company, of $553,625.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

, 1998 Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn, June 30, requesting renewal and execution of Contract-Agreement No. WM99-057-X3A with Ronald E. Sharpin, for services as a Wastewater Program Manager, at a cost not-to-exceed $51,440.00, which includes $5,000.00 for expenses and contract related travel.
Time for Performance-July 1, 1998 through June 30, 1999.
Account Number 2420-1400-HH.
The Commission V O T E D: to renew Contract-Agreement No. WM99-057-X3A with Ronald E. Sharpin, for services as a Wastewater Program Manager, as requested by Mr. McGinn in his report of June 30, 1998.
The Secretary then submitted for signature Contract-Agreement No. WM99-057-X3A, dated July 9, 1998, with Ronald E. Sharpin, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 581 acres of land owned by George Kristoff Jr., et als, located in the Towns of Sterling, Holden and West Boylston, Massachusetts, and to approve an award of damages in the amount of $6,500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A; and further recommending that $700,000.00 be withheld from that amount until environmental remediation on said land is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection.
Account No. 2420-8936.

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 581 acres of land owned by George Kristoff Jr., et als, located in the Towns of Sterling, Holden and West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling, Holden and West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain tract of land containing approximately 581 acres in total, being and comprising all right, title and interest in and to that land situated on and off the westerly sideline of Redemption Rock Trail (Route 140) in the Towns of Sterling, Holden and West Boylston, now owned by the supposed owners of record and as shown on the attached Exhibit "A," but expressly excluding from the premises taken hereby two (2) parcels as depicted on said Exhibit A: one parcel of land situated in said Town of Sterling containing approximately 12.223 acres and being shown on a plan entitled "Land in Sterling, Mass. Owned by George & Joseph Kristoff," dated April 19, 1974, and recorded with the Worcester District Registry of Deeds as Plan 122 in Plan Book 396; and one parcel of land also situated in said Town of Sterling and containing approximately 14.2 acres, which area shall be more accurately delineated on a survey plan

prepared by Central Mass. Engineering & Survey, Inc., Robert J. Parente, RLS, dated July, 1998, which plan shall be recorded with the Worcester District Registry of Deeds at a later date and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Redemption Rock Trail and Merrill Road which may be held by the supposed owners of record. Excluding the above referenced two parcels and all property otherwise conveyed out as of the date of this taking, the premises taken hereby include all portions of the subject properties situated on and off the westerly side of Redemption Rock Trail (Route 140) as described in the following: the probate inventory and schedule of real estate in the Estate of George Kristoff, Worcester Probate Court Docket No. 85P-2766-E, and the deed from John D. Kristoff to Paul M. Sushchyk, Trustee, dated June 2, 1988, and recorded with said Deeds in Book 11383, Page 157.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission hereby expressly grants a permanent right of way easement on, over and through the existing Merrill Road as presently situated on said premises to the owners of record, to access the two parcels described above and situated on said Road and expressly excluded from the premises taken hereby, which right of way shall extend to and along said Merrill Road and its extension, as presently configured, and shall end at the point of its intersection with that 14.2-acre excluded parcel as above referenced.

The Commission hereby declares it necessary to withhold a portion of the pro tanto amount listed below, in the sum of $ 700,000.00, which sum shall be utilized to fund the environmental remediation required on the premises in accordance with and to the extent required by regulations promulgated by the state Department of Environmental Protection (the "DEP"), which shall include the installation, maintenance, repair and replacement of chain-link fencing around the perimeter of the said 14.2-acre excluded parcel, and to address any and all issues regarding title to said premises, including the costs of a full perimeter survey of the premises so taken hereby. Any monies remaining following the completion of such required remediation to the satisfaction of the DEP, and mitigation to the satisfaction of this agency, shall be remanded to the supposed owners of record. Such required remediation shall expressly include the removal, by said owners or their duly qualified agents, contractors or assigns, of all surficial debris remaining on the premises, as identified by the licensed site professional performing as subcontractors for the Commission, CDW Consultants, Inc., on or before six (6) months from the date of the recording of this order. Said environmental remediation may be completed by said owners, but subject to the terms and conditions of an agreement for same to be signed by and between this agency and the owners of record and/or their duly authorized representatives.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
George Kristoff, Jr., Gerald Kristoff, William W. Cotting, Trustee of Sterling Downs Trust, Paul M. Sushchyk, Trustee of John D. Kristoff Trust/1988, Paul M. Sushchyk, Trustee of John D. Kristoff Trust, Michael J. Kristoff, Jr., and Angelina A. Culley	$ 6,500,000.00

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The Commission further V O T E D: to approve an award of damages in the amount of $6,500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: to withhold $700,000.00 from that amount until environmental remediation on said land is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 53.53 acres of land owned by Elizabeth W. Philbin, Permanent Conservator for Eleanor M. Wilder, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $190,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.

-) The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 53.53 acres of land owned by Elizabeth W. Philbin, Permanent Conservator for Eleanor M. Wilder, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in the westerly part of the said Town of Sterling and lying between the southeasterly line of Wilder Road and the southwesterly line of Beaman Road, more particularly bounded and described as follows:

Beginning at a point located S. 23° 19′ 40" W., 20.46 feet from a Worcester County Highway bound found between Stations 70 and 71 of the 1934 Worcester County Record Layout of South Nelson and Wilder Roads, as measured by the southeasterly line of Wilder Road and the westerly line of land formerly of Eleanor M. Wilder, now or formerly of Mark C. & Debra A. Stuart, said point being at the southwesterly corner of land now or formerly of Stuart, shown as Lot 1 upon a plan recorded with Worcester County Registry of Deeds as Plan 110, in Plan Book 536, and said point being also at the northwesterly corner of Lot 2 as shown upon said plan;

Thence S. 23° 19′ 40" W., 180.00 feet, by the southeasterly layout line of Wilder Road and the northwesterly line of Lot 2, to a concrete bound found at the northwesterly corner of other land formerly of Eleanor M. Wilder, now or formerly of David H. & Rosemary Tuttle, as shown on a plan recorded with said Deeds as Plan 47, In Plan Book 373;

Thence S. 72° 09′ 30" E., 540.00 feet, by the severance line between Lot 2 and land now or formerly of D.H. & R. Tuttle, to a point in the centerline of a brook;

Thence Southerly, 400 feet, more or less, by the center-line of the brook, to a point in the line of a stone wall;

Thence N. 38° 41′ 41" W., 30 feet, more or less, to a made drill hole at or near the end of the wall;

Thence On the same bearing, 75.58 feet, by the wall, to another drill hole made at a point therein;

Thence N. 34° 22′ 40" W., 23.37 feet, by the wall, to a made drill hole at a point therein;

Thence N. 59° 04′ 49" W., 39.99 feet, by the wall, to another made drill hole at a point therein;

Thence N. 29° 25′ 00" W., 19.34 feet, by the wall, to a point in a wall corner;

Thence N. 56° 41′ 21" W., 98.13 feet, by the wall, to a point in a wall corner, being the northeasterly corner of other land formerly of Eleanor M. Wilder, now or formerly of Ralph B. & Donna L. Norquist, shown upon a plan recorded with said Deeds as Plan 89 in Plan Book 329, the last seven courses being by land now or formerly of D.H. & R. Tuttle;

Thence S. 35° 38′ 45" W., 104.99 feet, by land, now or formerly, of R.B. & D.L. Norquist, and the southeasterly face of the stone wall, to a point therein;

Thence S. 39° 09′ 50" W., 328.58 feet, by the southeasterly face of the wall, partially by land, now or formerly, of R.B. & D.L. Norquist, and partially by land formerly of said Norquist and now or formerly of Gregory J. & Wendy J. Zinkus, (this land having subsequently been subdivided) to a point at a wall corner, and the northeasterly corner of land formerly of Edwin A. & Eleanor M. Wilder, later of Edward & Gloria Brosky, and now or formerly of James C. & Patricia A. Geneva, as shown upon a plan recorded with said Deeds as Plan 36 in Plan Book 333;

Thence S. 04° 32′ 30" W., 178.65 feet, by land, now or formerly, of J.C. & P.A. Geneva, to a made drill hole on a boulder at the easternmost corner of this abutting lot;

Thence S. 55° 32′ 40" W., 300.48 feet, by land, now or formerly, of J.C. & P.A. Geneva, to a drill hole made in a corner of walls at land formerly of George R. Tuck, later of Christine E. Bauman, and now or formerly of Turcotte Brothers Builders, Inc.;

Thence S. 24° 39′ E., 150 feet, more or less, by the stone wall and land now or formerly of Turcotte Brothers Builders, Inc., to a point at an angle in the wall;

Thence Southeasterly, about S. 36° E., 45 rods and 19 links, or 755.04 feet, more or less, by the wall, partially by land now or formerly of Turcotte Brothers Builders, Inc., and partially by land formerly of Jacob Sushchyk, now or formerly of Michael Sushchyk, to a point at the southernmost corner of the parcel herein being described;

Thence Northeasterly, about N. 17° 30′ E., 860 feet, more or less, to a point at another corner;

Thence Northeasterly, about N. 83° 30′ E., 42 rods and 8 links, or 698.28 feet, more or less, to a stone bound found at the southwesterly corner of a triangular parcel of land, formerly of Edwin A. & Eleanor M. Wilder, later of Ronald & Ruth Rajaniemi, and now or formerly of Phyllis M. Foote, shown upon a plan recorded with said Deeds as Plan 5 in Plan Book 240, the last two courses being by land now or formerly of Michael Sushchuk;

Thence N. 74° E., about 400 feet, more or less, by the northwesterly line of land now or formerly of P. M. Foote, to a point in the southwesterly layout line of the 1973 Worcester County Record Layout of Beaman Road;

Thence N. 31° 30′ 35" W., 2600 feet, more or less, by the southwesterly layout line of Beaman Road, to an iron pipe set at the southeasterly corner of land formerly of Eleanor M. Wilder, now or formerly of John F. & Mary Ellen Kilcoyne, shown as Lot 5 on a plan recorded with said Deeds as Plan 12 in Plan Book 542;

Thence S. 43° 07′ 46" W., 551.00 feet, by Lot 5, by Lot 6, land now or formerly of Roger J. & Patricia E. St. Jean, and by Lot 7, land now or formerly of David K. Klinkhamer & Norma J. Maypother, all as shown upon the last cited plan, to an iron pipe set at a point in the brook at the northeasterly corner of land now or formerly of M.C. & D.A. Stuart, shown as Lot 1 upon the plan recorded with said Deeds as Plan 110, in Plan Book 536;

Thence S. 16° 23′ 27" E., 192.14 feet, through the brook and by the easterly line of Lot 1, to a point at the southeasterly corner thereof, and the northeasterly corner of Lot 2, land now or formerly of Eleanor M. Wilder;

Thence N. 72° 09′ 30" W., 500.00 feet, by the southwesterly line of Lot 1, and northeasterly line of Lot 2, to the first mentioned point in the southeasterly line of Wilder Road, being the point and place of beginning.

Containing 53.53 acres, more or less, by estimate.

In addition to information from prior deeds in the chain of title of the locus property, deeds of abutters, and information supplied by town records, the following recorded plans were used, in the order listed, in constructing the description set forth above:

1) Plan H-2392 R, Decree 1060, Sheets 6,7, and 8 of 11, the 1934 Worcester County Highway Record Layout of South Nelson Road and Wilder Road, prepared by the County Engineer and recorded with said Deeds as Plan 8 in Plan Book 83. See also the instrument of taking recorded November 6, 1934 in Book 2626, Page 49.

2) A plan entitled "Land in Sterling, Mass. Surveyed for Eleanor M. Wilder," dated March 1985, prepared by Charles A. Perkins Co., Inc., Edward P. Downing, P.L.S., which plan is recorded with said Deeds as Plan 110 in Plan Book 536.

3) A plan entitled "Land in Sterling, Mass. Surveyed for Eleanor M. Wilder," dated Sept. 1972, prepared by Charles A. Perkins Co., Inc., Charles A. Perkins, P.L.S., which plan is recorded with said Deeds as Plan 47 in Plan Book 373.

4) A plan entitled "Plan of Land in Sterling, Mass. owned by Eleanor M. Wilder," dated May 19, 1969, prepared by Thompson-Liston Associates, Inc., Douglas L. Liston, R.S., which plan is recorded with said Deeds as Plan 89 in Plan Book 329.

5) A plan entitled "Land in Sterling, Mass. Owned by Edwin A. Wilder et ux," dated September 9, 1963, prepared by Alden S. Marble & Associates, Alden S. Marble, R.L.S., which plan is recorded with said Deeds as Plan 36 in Plan Book 333.

6) A plan entitled "Land in Sterling, Mass. Owned by Edwin A. & Eleanor Wilder," dated May 19, 1959, prepared by Alden S. Marble & Associates, (unstamped) which plan is recorded with said Deeds as Plan 5 in Plan Book 240.

7) Plan H-4185-R, Decree 2917, Sheets 3, 4 and 5 of 5, the 1973 Worcester County Highway Record Layout of Beaman Road, prepared by the County Engineer, and recorded with said Deeds as Plan 49 in Plan Book 387. See also the instrument of taking recorded with said Deeds in Book 5383, Page 257.

8) A plan entitled "Land in Sterling, Mass. Surveyed for Eleanor M. Wilder," dated July, 1985, prepared by Charles A. Perkins Co., Inc., Edward P. Downing, P.L.S., which plan is recorded with said Deeds as Plan 12 in Plan Book 542.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wilder Road and/or Beaman Road, which may be held by the supposed owner as a result of her ownership of the above described premises, and being the remaining portions lying southeasterly of Wilder Road and southwesterly of Beaman Road, of the same premises described as Parcel 1 in a deed from Frank H. Wilder, Florence C. Wilder, Anna H. Wilder, and Katherine A. Wilder to Edwin A. Wilder and Eleanor M. Wilder, dated December 24,

1943, and recorded with Worcester District Registry of Deeds in Book 2906, Page 242. See also a confirmatory deed from Frank H. Wilder et als to Eleanor M. Wilder, dated July 31, 1969, and recorded with said Deeds in Book 4971, Page 110. See also the Probate of Edwin A. Wilder, Worcester County Probate Court No. 221196. Note that Elizabeth W. Philbin, daughter of Eleanor M. Wilder, was appointed Permanent Conservator for Eleanor M. Wilder on February 6, 1990, by order of Worcester County Probate Court, Docket No. 90P0407C1.

The above described property is represented upon Holden Assessors Tax Map 45 as Parcels 3 and 34 .

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Elizabeth W. Philbin, Permanent Conservator for Eleanor M. Wilder	$ 190,000.00

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The Commission further V O T E D: to approve an award of damages in the amount of $190,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 43.4 acres of land owned by Glenis B. Eden-Kilgour, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $90,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 43.4 acres of land owned by Glenis B. Eden-Kilgour, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the southwesterly side of Hobbs Road, bounded partially on the west by the centerline of Keyes Brook, more particularly bounded and described as follows:

Beginning at a point at the northeasterly corner of the parcel herein being described, said point being at the southeasterly corner of land, now or formerly, of Chester I. & Sandra J. Drury, and at land, now or formerly, of Hobbs Realty Trust, said point being located S. 34° 32′ 07" E., 181.55 feet from a point in the southwesterly line of Hobbs Road as measured by the property line separating land, now or formerly, of C.I.& S.J. Drury from land, now or formerly, of Hobbs Realty Trust;

Thence N. 55° 27′ 54" W., 165.00 feet, by land, now or formerly, of Drury, to a drill hole in a wall, at other land, now or formerly, of Glennis B. Eden-Kilgour;

Thence S. 33° 22′ 29" W., 47.13 feet, by the wall to a drill hole at or near the southwesterly end of the wall;

Thence S. 23° 03′ 55" W., 423.36 feet to an iron pin;

Thence S. 67° 50′ 22" W., 170.98 feet to a point;

Thence N. 89° 31′ 01" W., 254.67 feet to an iron pin;

Thence S. 21° 27′ 25" W., 72.92 feet to a point;

Thence S. 66° 36′ 24" W., 151.65 feet to an iron pin;

Thence N. 80° 05′ 36" W., 236.31 feet to an iron pin, at land, now or formerly, of Alfred J. & Florina G. Bisol, the last seven courses being by other land, now or formerly, of G.B. Eden-Kilgour;

Thence S. 72° 08′ 53" W., 76.02 feet to an iron pipe;

Thence S. 16° 46′ 27" E., 663.56 feet to an iron pipe;

Thence S. 71° 24′ 58" W., 406.16 feet to an iron pipe;

Thence On the same bearing, 10 feet, more or less, to a point in the centerline of Keyes Brook, and land, now or formerly, of Frederick H. & Shirley E. Abbott, the last four courses being by land, now or formerly, of A.J.& F.G. Bisol;

Thence Southerly, 650 feet, more or less, by the centerline of Keyes Brook, and lands, now or formerly, of F. H. & S. E. Abbott, of Elwood Jr. & Gayle A. Hogarth, of Charles C. & Nancy J. Ball, and by land, formerly of Frank G. & Joan D. Scarale, and formerly of Beverly M. Scarale, both now of the Commonwealth of Massachusetts, Metropolitan District Commission, to a point at said land of the Commonwealth;

Thence S. 87° 29′ 15" E., 50 feet, more or less, by land, formerly of B.M. Scarale, now of the Commonwealth of Massachusetts, MDC, to a drill hole, at or near, the southeasterly end of a stone wall;

Thence S. 84° 29′ 45" E., 40.11 feet, by the wall to a drill hole therein;

Thence S. 87° 54′ 28" E., 111.46 feet, by the wall to a drill hole therein;

Thence S. 87° 46′ 23" E., 254.96 feet, by the wall to a drill hole in a corner of walls;

Thence S. 04° 36′ 52" E., 209.19 feet, by the wall to a drill hole therein;

Thence S. 04° 59′ 18" E., 274.67 feet, by the wall to a drill hole, at or near, the end of the wall;

Thence S. 06° 36′ 17" W., 148.09 feet, by a wire fence to a corner of fence at a 24 inch Hemlock tree;

Thence N. 87° 23′ 59" W., 206.17 feet, by the wire fence to a point;

Thence On the same bearing, 120 feet, more or less, to a point in the centerline of Keyes Brook, the last eight courses being by land, formerly of B.M. Scarale, now of the Commonwealth of Massachusetts, MDC;

Thence Southerly, 550 feet, more or less, by the centerline of Keyes Brook, and lands, formerly of B.M. Scarale, and of the Estate of Sumner B. Meiselman, both, now of the Commonwealth of Massachusetts, MDC, to a point at land, now or formerly, of the Town of Princeton;

Thence S. 66° 50′ 36" E., 30 feet, more or less, by the land of said Town, to a point;

Thence On the same bearing, 420.00 feet, by land of said Town to a point at land, now or formerly, of Hobbs Realty Trust, shown as "LOT A" upon a recorded survey plan referenced at the conclusion of this description;

Thence N. 09° 09′ 07" E., 2,205.97 feet, by "LOT A" to a point;

Thence N. 77° 32′ 12" E., 202.47 feet, by "LOT A" to a point;

Thence N. 13° 49′ 18" E., 1,000.00 feet, by "LOT A" to the first mentioned point at the northeasterly corner of the parcel herein being described, being the point and place of beginning.

Containing 43.4 acres, more or less, as shown as "LOT B" upon a plan entitled "Plan of Land In Princeton Mass. Showing Proposed Division of Land Owned by Robert J. and Charles C. Sullivan," dated December 17, 1978, prepared by Lewis L. Bowker, Jr. Land Surveyor, which plan is recorded with Worcester District Registry of Deeds, as Plan 13 in Plan Book 460.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from James A. Eden-Kilgour to Glenis B. Eden-Kilgour, dated June 29, 1994 and recorded with Worcester District Registry of Deeds in Book 16507, Page 311.

The above described property is represented upon Princeton Assessors Tax Map 5 as Parcels 33-4 and 33-5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Glenis B. Eden-Kilgour	$ 90,000.00

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The Commission further V O T E D: to approve an award of damages in the amount of $90,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 29.93 acres of land owned by Alden G. Smith and Susan M. Smith, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $150,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.

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The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 29.93 acres of land owned by Alden G. Smith and Susan M. Smith, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land located in the easterly part of the said Town of Holden, lying on the southerly side of Malden Street, more particularly bounded and described as follows:

Beginning at a point in the southerly line of Malden Street, in a corner of stone walls, at the northwesterly corner of land, formerly of Harold & Elizabeth Janes, later of Carl Plaza, and now or formerly, of George W. & Marilyn J. Schwichtenberg, as shown upon a plan recorded with Worcester District Registry of Deeds as Plan 19 in Plan Book 246, more definitively identified below, after the conclusion of this description;

Thence N. 09° 20′ 00" W., 554.5 feet, by the stone wall and land, now or formerly of G.W. & M.J. Schwichtenberg, to a point in a corner of walls;

Thence N. 79° 20′ 00" W., 334.0 feet, by the stone wall and land, now or formerly, of Schwichtenberg, to a point in a corner of stone walls, at land, now or formerly, of Chester M. & Gayle C. Marshall;

Thence S. 04° 28′ 00" W., 102 feet, more or less, by the stone wall, to a point in a wall corner;

Thence S. 02° 38′ 00" W., 432.5 feet, by the wall, to a point in the southeasterly corner of the parcel herein being described, at land, formerly of one Larsen, now or formerly, of Jeff & Margaret Dorsey, the last two courses being by land, now or formerly, of Chester M. & Gayle C. Marshall;

Thence N. 78° 02′ 00" W., 744.0 feet, by a fence line and land, now or formerly, of J.& M. Dorsey, to a point in a pile of stones at an angle in the fence;

Thence N. 60° 55′ 00" W., 1160.2 feet, by the fence line and land, now or formerly, of J.& M. Dorsey, to an iron pipe at the southwesterly corner of the parcel herein being described, and at land, formerly, of Leslie & Elvira J. Albrecht, now or formerly, of Carolyn & Robert J. Ricardi;

Thence N. 02° 42′ 00" E., 781.20 feet, partially by a wire fence line and mostly by a stone wall, by lands, formerly of Albrecht, and of Charles H. Horstman, now or formally, of C. & R.J. Ricardi, of Clara Mickelson, of Mildred Mickelson, of Frank P. & June M. Sloan, and of Harriet S. Stark, to a point in the wall marking the southwesterly corner of other land, now or formerly, of Alden G. & Susan M. Smith, property to be excluded from this taking and reserved to the supposed owners, their heirs and successors, as shown upon a sketch plan prepared by Spofford Engineering, Winslow M. Spofford, R.L.S., dated September 1997, labeled EXHIBIT A and made a part of this order;

Thence S. 55° 42′ 38" E., 399.41 feet, to a point at the southeasterly corner of the excluded land referenced above;

Thence N. 74° 26′ 01" E., 336.37 feet, to a point in the southerly line of Malden Street, the last two courses being by other land, now or formerly of Smith, excluded from this taking and shown upon EXHIBIT A;

Thence Southeasterly, 100 feet, more or less, by the southerly line of Malden Street and the stone wall, to a point at the northeasterly corner of land, now or formerly, of Coryden M. & Cheryl R. Smith, as shown upon a plan recorded with said Deeds as Plan 85 in Plan Book 500, more definitively identified below, at the conclusion of this description;

Thence S. 27° 30′ 00" W., 500.00 feet, to an iron pin at the southeasterly corner of this abutting lot;

Thence S. 65° 07′ 23" E., 420.68 feet, to another iron pin at the southwesterly corner of this abutting lot;

Thence N. 08° 00′ 00" E., 510.00 feet, to an iron pin in the stone wall marking the southerly line of Malden Street, the last three courses being by land, now or formerly, of Coryden M. & Cheryl R. Smith;

Thence Southeasterly, 250 feet, more or less, by the stone wall and the southerly line of Malden Street, to the first mentioned point in the corner of stone walls, being the point and place of beginning.

Containing 29.93 acres, more or less, by calculation, based upon information shown upon EXHIBIT A, upon the recorded survey plans cited below, and prior deed descriptions.

The following survey plans were used in construction of the above taking description:

1) A plan entitled "Plan of Property Located In Holden, Mass. Owned By Alden G. and Susan M. Smith", dated November 6, 1956, prepared by Roger R. Lonergan, C.E., which plan is recorded with Worcester District Registry of Deeds as Plan 40 in Plan Book 221. See the accompanying deed, dated December 5, 1956 and recorded with said Deeds in Book 3828,

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Page 305, from Leon O. Marshall and Marjorie S. Marshall to Alden G. Smith and Susan M. Smith, conveying 42.35 acres including the locus premises.

2) A plan entitled "Plan of Land Located In Holden, Mass. Owned By Alden G. and Susan M. Smith", dated February 6, 1960, prepared by Roger R. Lonergan, C.E., which plan is recorded with said Deeds as Plan 19 in Plan Book 246. See the accompanying deed, dated March 29, 1960 and recorded with said Deeds in Book 4099, Page 280, from Alden G. Smith and Susan M. Smith to Harold Janes and Elizabeth Janes, conveying 4.84 acres out of the 42.35 acres referenced above.

3) A plan entitled "Wachusett Engineering & Construction Co., Inc. Survey Of Property On Malden Street, Holden For Alden G. & Susan M. Smith", dated February 1980, stamped and signed by Winslow M. Spofford, R.L.S., R.P.E., which plan is recorded with said Deeds as Plan 85 in Plan Book 500. See the accompanying deed, dated August 12, 1982 and recorded with said Deeds in Book 7580, Page 340, from Alden G. Smith and Susan M. Smith to Corydon M. Smith and Cheryl R. Smith, conveying 3.80 acres out of the original 42.35 acres referenced above.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Malden Street, which may be held by the supposed owners as a result of their ownership of the above described premises, and being most of the same premises described in a deed from Leon O. Marshall and Marjorie S. Marshall to Alden G. Smith and Susan M. Smith, dated December 5, 1956 and recorded with Worcester District Registry of Deeds in Book 3828, Page 305.

The above described property is represented upon Holden Assessors Tax Map 135 as most of Parcel 6.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Alden G. Smith and Susan M. Smith	$ 150,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $150,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 35.1 acres of land owned by Jacqueline Fredette, Executrix and Trustee of the Estate of Antonio Doldo, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 35.1 acres of land owned by Jacqueline Fredette, Executrix and Trustee of the Estate of Antonio Doldo, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of North Street, immediately south of and abutting land now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Environmental Law Enforcement ("DFWELE"), formerly of Wilbur B. & Voila K. Bridgeman, the rear or easterly portions of both properties being portions of the "New State Pasture" conveyed to James E. Welch, or Welsh, by Leon A. Goodale et als in an instrument dated May 19, 1919, and recorded with Worcester District Registry of Deeds in Book 2181, Page 95, both properties being a part of the assemblage of lands formerly of the aforesaid Welch, or Welsh, the parcel described herein being more particularly bounded and described as follows:

Beginning at the northwesterly corner of the premises herein being described at a point in the easterly line of North Street, and at the southwesterly corner of land now of the Commonwealth of Massachusetts (DFWELE), late of Bridgeman,

and formerly of Welch, or Welsh (see deed dated November 6, 1988, and recorded with said Deeds in Book 12120, Page 361);

Thence N. 81° 30′ E., 64 rods and 7 links, or 1060.62 feet, more or less, by land of the Commonwealth of Massachusetts, DFWELE, to a point at an angle in the line, at land which was formerly part of the "New State Pasture";

Thence Northeasterly, 50 rods, or 825 feet, more or less, by land of the Commonwealth of Massachusetts, DFWELE, to the remains of a stake and stones at the northwesterly corner of land now or formerly of Charles R. & Leslie D. Hicks, formerly of Miriam H. Peckham Huntoon, and previously land of Arthur H. & Lewis W. Sawyer (see the first parcel described in a deed dated June 17, 1993, and recorded with said Deeds in Book 15316, Page 80);

Thence S. 4° E., 626.8 feet, more or less, by land now or formerly of Hicks, to a point at a corner where a white oak once stood, said point being at the northeasterly corner of land now or formerly of Gordon R. & Marjorie M. Grant, formerly of Bradford F. Truesdell et ux, previously of Axel W. Oberg et ux, once land of Walter Chapman (see the description of the 4th Tract in a deed dated November 10, 1971 and recorded with said Deeds in Book 5174, Page 555);

Thence S. 87° W., 52 rods and 22 links, or 872.52 feet, more or less, by the northerly line of the 4th Tract in the last cited deed, land now or formerly of Grant, to a pile of stones at a corner;

Thence S. 19° W., 17 rods and 18 links, or 292.38 feet, more or less, by the westerly line of the 4th Tract, of the current or former abutter, as cited above, to a pile of stones at the northwesterly corner of the 1st Tract in the last cited deed, other land now or formerly of Grant;

Thence On the same bearing, 19 rods and 18 links, or 325.38 feet, more or less, by the westerly line of the 1st Tract of the current or former abutter, as cited above, to a drill hole in a stone wall at the northeasterly corner of land now or formerly of Thomas R. & Linda I. Reding, formerly of Warren

& Marion Bowen, as shown upon a plan recorded with said Deeds as Plan 80 in Plan Book 361, which plan is more fully identified at the conclusion of this description;

Thence N. 78° 30′ W., 648.64 feet, more or less, by the stone wall and partially by land now or formerly of Reding, and partially by land formerly of Betty Rayner, now or formerly of Elwood, Jr. & Gayle A. Hogarth, to a drill hole in the wall at the southeasterly corner of land now or formerly of the Naples Family Trust, as shown upon a plan recorded with said Deeds as Plan 108 in Plan Book 358, which plan is more fully identified at the conclusion of this description (see also the deed dated January 10, 1972, from Antonio Doldo to Angelo P. & Nina R. Naples, recorded with said Deeds in Book 5187, Page 490);

Thence N. 3° 00′ 00" W., 189.10 feet, to an iron rod at the northeasterly corner of land now or formerly of the Naples Family Trust;

Thence S. 87° 00′ 00" W., 277.37 feet, by the northerly line of land now or formerly of the Naples Family Realty Trust, to an iron pipe set at a point in the stone wall delineating the easterly line of North Street;

Thence Northerly, about 588.16 feet, more or less, by the stone wall and the easterly line of North Street to a point at the southwesterly corner of land now or formerly of Paul J. Croteau (see deed dated June 1, 1995, from Jacqueline M. Fredette, Executor of the Estate of Antonio Doldo to Paul J. Croteau, recorded with said Deeds in Book 17289, Page 317);

Thence S. 81° 30′ E., about 332 feet, more or less, to the southeasterly corner of land now or formerly of the last named abutter;

Thence N. 8° 30′ E., 125.00 feet, by the rear line of the last cited abutting lot, to a point at its northeasterly corner;

Thence N. 81° 30′ W., 50.00 feet, by the northerly line of land now or formerly of P. J. Croteau, to a point at the southeasterly corner of land now or formerly of Steven Granger (see deed dated February 25, 1997 recorded with said Deeds in Book 18650, Page 213);

Thence N. 8° 30′ E., 170.00 feet, by the rear line of land now or formerly of the last named abutter, to a point at the northeasterly corner thereof;

Thence N. 81° 30′ W., about 220 feet, more or less, by the northerly line of land now or formerly of Steven Granger, to a point in the stone wall and the easterly line of North Street;

Thence Northeasterly, about 25 feet, more or less, by the wall and the easterly line of the street, to the first mentioned point at the northwesterly corner of the parcel being described herein, being the point and place of beginning.

Containing 35.10 acres, more or less, by calculation from deed descriptions and available recorded plans.

There is a compiled plan entitled "Prepared For: Mary Ellen Miller", dated May 1, 1991, prepared by William E. Gaskill, R.L.S., which plan is recorded with said Deeds as Plan 80 in Plan Book 696, and is supposed to depict the above described premises. Due to errors and omissions in the deeds within the chain of title for this property, this plan does not appear to be an entirely accurate representation, and has been relied upon as a basis for the description set forth above, only for information pertaining to the two lots, last above cited, on North Street, sold from the locus within the recent past, and the distances of remaining frontage. This plan shows an area of 35.1 acres, more or less, which is the same area arrived at independently by MDC personnel in the preparation of this instrument.

The recorded plans referred to above, in the body of the description, are as follows:

1) A plan entitled "Plan of Land Owned by Warren D. Bowen and Marion I. Bowen In Holden, Mass. to be Conveyed to Robert E. Jayes and Edith Jayes and to Thomas R. and Linda I. Reding," dated March 12, 1972, prepared by R.F. DeFalco, P.L.S., which plan is recorded with said Deeds as Plan 80 in Plan Book 361.

2) A plan entitled "Plan of Land In Holden, Mass., to be Conveyed to Angelo R. & Nina R. Naples", dated Nov. 1971, prepared by William R. Gaskill, R.L.S., which plan is recorded with said Deeds as Plan 108 in Plan Book 358.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in North Street which may be held by the supposed owner as a result of her ownership of the above described premises, and being most of the same premises described in a deed from Stella A. Godimis to Antonio Doldo, dated March 4, 1955, and recorded with Worcester District Registry of Deeds in Book 3662, Page 530. See also Probate of the Estate of Antonio Doldo, Worcester County Probate Court Docket No. 94PRO840EP1.

The above described property is represented upon Holden Assessors Tax Map 44 as Parcel 16.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Jacqueline Fredette, Executor and Trustee of the Estate of Antonio Doldo	$ 75,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 42.06 acres of land owned by Barbara K. Smith and Natalie M. Matheson, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $183,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 42.06 acres of land owned by Barbara K. Smith and Natalie M. Matheson, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land off the southwesterly side of Central Street, formerly known as the road to Northborough, south of its intersection with Linden Street, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a point in a stone wall marking the southwesterly corner of land now or formerly of Albert B. and Helen E. Peterson, and at land now or formerly of Steven and Gina Tashjian, show as Lot No. 5 on Land Court Decree Plan 28796C, said point being located S. 03° 04′ 26" E., 209.10 feet, measured by the wall marking the line between land now or formerly of Peterson and land now or formerly of Tashjian, from a drill hole found in a corner of stone walls, at or near the southerly line of Central Street;

Thence N. 88° 53′ 34" E., 128.14 feet, by land, now or formerly, of Peterson, to an iron pipe found at the southwesterly corner of land, now or formerly, of Johnathan E. and Rhonda L. Montague;

Thence N. 89° 34′ 09" E., 71,86 feet, by land, now or formerly, of Montague, to a point;

Thence N. 85° 34′ 09" E., 48.00 feet, by land, now or formerly, of Montague, to an iron pin set at a point marking the southeasterly corner of said abutters lot, said point being in the westerly line of other land supposed to belong to Smith and Matheson, specifically excluded from this taking, and shown upon a survey plan referenced at the conclusion of this description as "UNRESTRICTED AREA";

Thence S. 13° 45′ 25" W., 150.00 feet, to a drill hole set;

Thence S. 76° 14′ 35" E., 125.00 feet, crossing Old Bay Path to an iron pin set;

Thence S. 12° 03′ 10" E., 371.72 feet, to another iron pin set;

Thence N. 81° 40′ 38" E., 215.37 feet, to another iron pin set at a point in the westerly line of land, now or formerly, of Kenneth A. Ware and Kathleen F. Hanlon, the last four courses being by the "UNRESTRICTED AREA", other land supposed to belong to Smith and Matheson;

Thence S. 23° 20′ 40" E., 220.00 feet, to a point marking the southernmost corner of land, now or formerly, of Ware and Hanlon, and at land, now or formerly, of Joseph F. Jr. and June Hayes;

Thence On the same bearing, 485.00 feet, to an iron pin set at an angle;

Thence S. 37° 46′ 53" E., 429.10 feet, running into and through a stone wall segment, to a drill hole set in a corner of stone walls, at land, now or formerly, of Kevin J. McGrath, the last two courses being by land, now or formerly, of Hayes;

Thence S. 72° 36′ 15" W., 584.55 feet, running by an existing wire fence and through a 30" oak tree, by land, now or formerly, of McGrath, to a drill hole set in a junction of stone walls, at land, now or formerly, of Bigelow Nurseries Inc.;

Thence S. 81° 54′ 19" W., 331.13 feet, by the stone wall, to a drill hole set;

Thence N. 83° 18′ 41" W., 37.18 feet, by the wall, to another drill hole set;

Thence N. 83° 24′ 30" W., 182.94 feet, by the wall, to another drill hole set;

Thence N. 80° 22′ 25" W., 42.94 feet, by the wall, to another drill hole set;

Thence N. 59° 11′ 40" W., 56.06 feet, by the wall, to a drill hole found in a corner of walls;

Thence N. 59° 29′ 38" W., 192.56 feet, by the wall, to another drill hole set;

Thence N. 59° 18′ 05" W., 196.05 feet, by the wall, to a drill hole found in a corner of walls;

Thence N. 59° 11′ 31" W., 137.11 feet, by the wall, to another drill hole set;

Thence N. 59° 26′ 25" W., 255.39 feet, by the wall, to a drill hole set in the northwesterly end of the wall;

Thence N. 59° 28′ 59" W., 118.21 feet, to an MDC concrete bound found at land, now or formerly, of Robert E. Colbert, the last ten courses being by land, now or formerly, of Bigelow Nurseries Inc.;

Thence N. 34° 39′ 40" E., 235.43 feet, by land, now or formerly, of Colbert, to a concrete bound found at the southernmost point of land, now or formerly, of Steven Tashjian, Lot No. 6 Land Court Decree Plan 28796C;

Thence N. 34° 39′ 34" E., 889.71 feet, partially by Land Court Lot #6 and partially by Land Court Lot No. 5 as referred to above as land, now or formerly, of Tashjian, to a drill hole found in the end of a stone wall;

Thence N. 33° 31′ 24" E., 295.08 feet, by the stone wall and Land Court Lot No. 5, to a drill hole set at an angle in the wall;

Thence N. 03° 04′ 26" W., 18.44 feet, by the wall and Land Court Lot No. 5, to the point and place of beginning.

Containing 1,832,277 square feet, or 42.06 acres, more or less, shown as "CONSERVATION EASEMENT AREA" upon a plan entitled "COMMONWEALTH OF MASSACHUSETTS, METROPOLITAN DISTRICT COMMISSION, DIVISION OF WATERSHED MANAGEMENT, BOYLSTON (WORCESTER COUNTY) MASS., LAND PLAN FOR WATERSHED PROTECTION, OWNER: BARBARA K. SMITH & NATALIE M. MATHESON", prepared by Guerard Survey Co. & Associates, Inc., and dated February 4, 1997, which plan shell be revised to show a fee acquisition and recorded with Worcester District Registry of Deeds at a later time, and made a part of this order.

Also taken hereby is a permanent right of way easement running on behalf of the Commonwealth of Massachusetts and the Commission, from Central Street to said premises, on, over and through Old Bay Path, which portion of Old Bay Path crosses over that property remaining in and retained by Barbara K. Smith and Natalie M. Matheson, their heirs and assigns. Said Old Bay Path is depicted on the plan sited above.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Old Bay Path which may be held by the supposed owners, as a result of their ownership of the above described property, and being a portion of the same premises described in a deed from Barbara K. Smith to Barbara K. Smith and Natalie M. Matheson, dated April 8, 1994 and recorded with the Worcester District Registry of Deeds in Book 16379, Page 139.

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AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Barbara K. Smith and Natalie M. Matheson	$ 183,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $183,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 41.14 acres of land owned by Paul F. Schlaikjer, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $253,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 41.14 acres of land owned by Paul F. Schlaikjer, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of a Town Road formerly known as Leominster Road, later East Beaman Road, and now Beaman Road, and on the northerly side of Wilson Road at their intersection, more particularly bounded and described as follows:

Beginning at a point in the stone wall delineating the northwesterly line of Beaman Road, at a drill hole made in a stone wall corner at the southernmost corner of land now or formerly of Benjamin A. & Isabel C. Wooten, the said drill hole also marking the easternmost corner of the parcel herein being described;

Thence S. 36° 54′ 29" W., 211.28 feet, by the northwesterly line of Beaman Road and the stone wall, to another drill hole made, at a point therein;

Thence S. 30° 21′ 01" W., 209.90 feet, by the line of the road and the stone wall, to another drill hole made, at a point therein;

Thence S. 28° 11′ 47" W., 78.34 feet, by the line of the road and the stone wall, to another drill hole made, at a point therein;

Thence S. 30° 04′ 50" W., 237.57 feet, by the line of the road and the stone wall, to another drill hole made, at an angle therein;

Thence S. 57° 05′ 25" W., 459.99 feet, by the line of the road and the stone wall, crossing a small gap in the wall and running to another drill hole made, at a point in the continuation of the wall;

Thence S. 57° 04′ 02" W., 320.64 feet, by the line of the road and the stone wall, to another drill hole made, at a point therein;

Thence S. 58° 40′ 34" W., 341.16 feet, by the line of the road and the stone wall, to a drill hole made, at a point therein;

Thence S. 70° 25′ 13" W., 23.66 feet, by the northwesterly line of Beaman Road and the stone wall, to a point in the wall at the intersection of the northwesterly line of Beaman Road and the northeasterly line of a "cross road" now known as Wilson Road;

Thence N. 79° 09′ 21" W., 15.32 feet, by the line of Wilson Road and the stone wall, to another drill hole made, at a point therein;

Thence N. 67° 17′ 45" W., 103.23 feet, by the line of the road and the stone wall, to another dril hole made, at a point therein;

Thence N. 66° 20′ 18" W., 404.93 feet, by the line of the road and the stone wall, to another drill hole made in a corner of walls, at other land now or formerly of Paul F. Schlaikjer;

Thence N. 00° 30′ 14" W., 140.14 feet, by the stone wall and other land now or formerly of said Schlaikjer, to another drill hole made in a wall corner;

Thence N. 01° 24′ 55" E., 802.56 feet, running by the easterly line of other land now or formerly of said Schlaikjer, across a brook and a cart path, through an MDC concrete bound set, running through a stone wall and across a septic system and reserve area, to an iron pin set in a wall corner, at land formerly of Ephraim Beaman, now or formerly of said Schlaikjer;

Thence S. 79° 06′ 58" E., 120.96 feet, by the stone wall and across a gap in the wall, containing a cart path running northerly from it, to a point in the continuation of said wall;

Thence N. 85° 24′ 04" E., 14.24 feet, by the stone wall, to a point therein;

Thence S. 83° 39′ 33" E., 63.27 feet, by the stone wall, to another drill hole made, at a point therein;

Thence S. 76° 10′ 05" E., 111.22 feet, by the stone wall, to another dril hole made, at a point therein;

Thence S. 79° 02′ 03" E., 128.64 feet, by the stone wall, to a drill hole made, in a corner of walls;

Thence N. 16° 35′ 25" E., 275.66 feet, by the stone wall, to a drill hole made, in an angular wall corner;

Thence S. 49° 41′ 44" E., 130.70 feet, by the stone wall, to another drill hole made, in a corner of walls;

Thence N. 34° 03′ 31" E., 663.41 feet, by the stone wall, to another drill hole made, in another wall corner;

Thence S. 53° 46′ 07" E., 216.43 feet, by the stone wall, to another drill hole made, in another wall corner;

Thence S. 54° 09′ 26" E., 194.43 feet, by the stone wall, to another drill hole made, at a point therein;

Thence S. 80° 58′ 53" E., 73.78 feet, by the stone wall, to another drill hole made in a wall corner at other land formerly of Beaman, now or formerly of the aforesaid Benjamin A. & Isabel C. Wooten, the last twelve courses being by other land formerly of Ephraim Beaman, now or formerly of said Schlaikjer;

Thence S. 11° 02′ 07" E., 17.12 feet, by the wall, to a drill hole made, at a point therein;

Thence S. 20° 42′ 50" E., 13.42 feet, by the wall, to another drill hole made, at a point therein;

Thence S. 06° 23′ 02" E., 36.71 feet, by the wall, to another drill hole made, at a point therein;

Thence S. 34° 06′ 37" E., 111.91 feet, by the wall, to a drill hole made, at a point therein;

Thence S. 45° 45′ 09" E., 59.26 feet, by the wall, to a drill hole made, at a point therein;

Thence S. 69° 38′ 53" E., 273.64 feet, by the stone wall, to the first mentioned drill hole made in a wall corner in the northwesterly line of Beaman Road, being the point and place of beginning, the last six courses being by land now or formerly of said Wooten.

Containing 1,792,023 square feet, or 41.14 acres as shown upon a plan entitled "Commonwealth Of Massachusetts, Metropolitan District Commission, Division Of Watershed Management, Princeton (Worcester County) MA, Land Taking Plan For Watershed Protection," dated June 26, 1998, prepared by Andrysick Land Surveying, Inc., Douglas W. Andrysick, P.L.S., which plan shall be recorded with Worcester District Registry of Deeds either with this order or at a later date, and made a part of this order.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Paul F. Schlaikjer	41.14 acres ±

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion the same premises described as Parcel 1 in a deed from Everett P. Webster to Paul F. Schlaikjer, dated July 15, 1997, and recorded with Worcester District Registry of Deeds in Book 19015, Page 386.

The above described land, herein restricted, is represented upon Princeton Assessors Map 4 as Parcel 21.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, except as provided for below.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, except as provided for below.

3. No septic systems or leach fields shall be permitted, other than the Septic System and reserve areas already in place upon the above described property, serving the residence at #28 Wilson Street sited upon the adjoining unrestricted property. Such septic system as exists at the recording of this order, shall not be relocated within the restricted area, and shall not be enlarged, nor increased in capacity.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land, or to exercise the reserved right provided for below.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

11. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall mot be used to satisfy zoning requirements for development of any adjoining unrestricted land.

The above provisions not withstanding, there is specifically reserved to the owner, his heirs and assigns, the right to construct one access roadway, upon the premises herein restricted, not in excess of fifty (50) foot in width, from Beaman Street to other adjoining unrestricted lands of the owner. This access roadway shall be sited and constructed so as to do the least environmental harm to the restricted parcel as reasonably possible. When and if such a roadway is constructed, it may be used for all purposes for which public ways are customarily used, including the placement of utilities and utility delivery systems.

The owner, his heirs, or assigns, having the intent to construct such a roadway, shall give thirty (30) days written notice of such construction to the Director of the Division of Watershed Management of the Metropolitan District Commission, or to his/her statutory successor, and shall, upon completion of such construction, file plans of the location, elevations and drainage system for said roadway with said Director, or his/her statutory successor.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Paul F. Schlaikjer	$ 253,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $253,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13 acres of land owned by Lidiana M. Stragliatto, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $27,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 13 acres of land owned by Lidiana M. Stragliatto, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in the southeasterly part of said Town of Princeton, lying off of the easterly side of Coal Kiln Road, more particularly bounded and described as follows:

Beginning at a stake and stones at the northeasterly corner of the parcel herein being described, at land, formerly of Trowbridge H. & Isabelle J. Ford, now of the Commonwealth of Massachusetts, Metropolitan District Commission, and at land, formerly of one Kenny, now or formerly, of Baybank Middlesex;

Thence N. 41° W., 78 rods, or 1287 feet, more or less, partially by land, formerly of Kenny, and partially by land, now or formerly, of Frederick & Elizabeth L. Kush, to a stake and stones at the northwesterly corner of the parcel being described, and land, formerly of Robert G. &

Marion L. Thibault, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 54° W., 26 rods, or 429 feet, more or less, by land, formerly of R.G.& M.L. Thibault, to an iron pipe at the southwesterly corner of the parcel being described, and land, formerly of Davis Farm Trust, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 41° E., 78 rods, or 1287 feet, more or less, by land formerly of Davis Farm Trust, to a stake and stones at the southeasterly corner of the parcel being described, and at land, formerly of T.H. & I.J. Ford;

Thence N. 54° E., 26 rods, or 429 feet, more or less, by land formerly of T.H. & I.J. Ford, to the first mentioned stake and stones at the northeasterly corner of the parcel being described, being the point and place of beginning.

Containing 13 acres, more or less, by prior deed description.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Robert W. Sanger to Giovanni Stragliotto, dated March 14, 1986, and recorded with Worcester District Registry of Deeds in Book 9312, Page 382. See also the probate of the Estate of Giovanni Stragliotto, Worcester County Probate Court No. 90P-2038A1.

The above described property is represented upon Princeton Assessors Tax Map 16 as Parcel 4.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Lidiana M. Stragliotto, heir at law of Giovanni Stragliotto	$ 27,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $27,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 14.56 acres of land owned by David A. DiMarzio and Denise M. Forsberg-DiMarzio located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $90,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 14.56 acres of land owned by David A. DiMarzio and Denise M. Forsberg-DiMarzio located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Manning Street, and off of the southeasterly side of North Street, shown as Parcel C upon the first plan referenced at the conclusion of this description, and more particularly bounded and described as follows:

Beginning at a point in the northerly line of Manning Street, at the southeasterly corner of land, now or formerly, of Mark R. & Ruth A.C. Haynes;

Thence Northerly along the arc of a curve to the left, having a radius of 15.0 feet, an arc distance of 23.56 feet, to a point;

Thence N. 04° 15′ 00" W., 160.0 feet, to a point at a corner;

Thence N. 85° 45′ 00" E., 320.0 feet, to an iron pipe at a lot corner, being the northwesterly corner of land, now or formerly, of M.R. & R.A.C. Haynes, and the southeasterly corner of land, now or formerly, of Edwin F., Jr. & Beverly S. Forsberg, shown as Parcel B upon the above cited plan, the last three courses being by land, now or formerly, of the aforesaid Haynes;

Thence N. 14° 15′ 00" W., 140.0 feet, more or less, by Parcel B, land, now or formerly, of E.F., Jr. & B.S. Forsberg, to a point at the southeasterly corner of other land, now or formerly, of David A. DiMarzio & Denise M. Forsberg-DiMarzio, shown as Parcel A upon the above cited plan, specifically excluded from the provisions of this order of taking and reserved to the supposed owners, their heirs and assigns;

Thence N. 42° 32′ 20" E., 170.0 feet, by Parcel A, other land, now or formerly of D.A. Dimarzio & D.M. Forsberg-DiMarzio, to the southeasterly corner of land, now or formerly, of Arthur A., Jr. & Arlene M. Warg;

Thence On the same bearing, 275.98 feet, by the southeasterly line of land, now or formerly, of A.A., Jr. & A.M. Warg, to a point in the southerly line of land, formerly of Mary Pecoy, now or formerly, of Stephen & Norma R. Hutnak;

Thence S. 65° 44′ 40" E., 85.34 feet, by land, now or formerly, of S. & N. R. Hutnak, to the remains of a stake and stones at the southeasterly corner of said abutting land;

Thence Northeasterly, about N. 12° 30′ E., 39 rods and 3 links, or 645.48 feet, more or less, partially by land, now or formerly, of S. & N.R. Hutnak, and partially by land, now or formerly, of Paul D. & Lena R. Roy, to a point in a stone wall, at a corner, in the southerly line of land, formerly of Samuel Mason, now or formerly, of Martha F. Danico, shown upon a plan recorded with said Deeds as Plan 80 in Plan Book 361, more specifically cited below at the conclusion of this description;

Thence Southeasterly, about S. 79° E., a distance which is supposed to be 32 rods, or 528 feet, more or less, according to prior deed description, by the stone wall and land, formerly of Samuel Mason, now or formerly, partially of D.F. Danico and partially of Thomas R. & Linda I. Reding, to a heap of stones;

This last course is more accuratly described by reference to the recorded plan last cited above, and the deeds of the abutters, in the following two courses:

Thence S. 72° 22′ 25" E., 263.13 feet, by land, formerly of Samuel Mason, now or formerly, of M.F. Danico, and by the stone wall, to an iron pipe set at a point therein, at the southeasterly corner of other land, formerly of Samuel Mason, now or formerly, of Thomas R. & Linda I. Reding;

Thence S. 73° 00′00" E., 357.96 feet, more or less, by and through the stone wall, and by the southerly line of land, now or formerly, of T.R. & L.I. Reding, to a heap of stones, at a corner at land, formerly of Axel Oberg or Cyrus Howe, later of Bradford F. Truesdell, now or formerly, of Gordon R. & Marjorie M. Grant, said point being N. 73° 00′ 00" W., 64.02 feet from a stone bound at the southeasterly corner of land, now or formerly, of Reding (the last two courses are as shown on Plan 80 in Plan Book 361);

Thence Southwesterly, about S. 6° W., about 46 rods, or 759 feet, but by calculation closer to 780 feet, more or less, partially by the westerly line of land, now or formerly, of G.R & M.M. Grant, and partially by the westerly line of land, now or formerly, of Elizabeth Estabrook, to a point in a corner at land, now or formerly, of Hazel L. Welsh;

Thence Westerly, 434.64 feet, more or less, partially by the northerly line of land, now or formerly, of H.L. Welsh, and partially by the northerly line of land, now or formerly, of Robert A. & Janet B. Welsh, to an iron pipe at the northwesterly corner of the last named abutter;

Thence S. 02° 01′ 35" E., 249.75 feet, by the westerly line of land, now or formerly, of R.A. & J.B. Welsh, to an iron pipe in the northerly line of Manning Street;

Thence S. 85° 45′ 00" W., 166 feet, by the northerly line of Manning Street, to the first mentioned point at land, now or formerly, of M.R. & R.A.C. Haynes, being the point and place of beginning.

Containing 14.56 acres, more or less, as shown as Parcel C upon a plan entitled "Wachusett Engineering & Construction Co., Inc. Plan of Property in Holden For: Edwin Forsberg", dated Feb. 1984, stamped and signed by Winslow M. Spofford, R.L.S., R.P.E., which plan is recorded with said Deeds, as Plan 67 in Plan Book 521.

This plan amended a previous plan entitled "Wachusett Engineering & Construction Company Inc. Plan of Lots On Manning St. and North St. Holden Owned by Edwin F. Forsberg", dated July 1959, signed and stamped by Winslow M. Spofford, R.L.S., R.P.E., which plan is recorded with said Deeds as Plan 71 in Plan Book 246.

Neither plan appears to be entirely accurate, in its depiction of the rear unsubdivived portion of the property, and for that reason the above description is based partially upon the above plans, but also upon the deed descriptions and plans of abutting properties. The other plan specifically cited above and used in the construction of the description set forth herein is as follows:

A plan entitled "Plan of Land Owned By Warren D. Bowen and Marion I. Bowen in Holden, Mass. to be Conveyed to Robert E. Jayes and Edith Jayes and to Thomas R. and Linda I. Reding", dated March 12, 1973, prepared by Commonwealth Survey and recorded with said Deeds as Plan 80 in Plan Book 361.

The above described property is represented upon Holden Assessors Tax Map 44 as Parcel 13.1.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Manning Street which may be held by the supposed owners as a result of their ownership of the above described premises, and being the same premises described in a deed from Edwin F. Forsberg, Jr. and Beverly S. Forsberg to David A. DiMarzio and Denise M. Forsberg-DiMarzio, dated December 9, 1988, and recorded with said Deeds in Book 11800, Page 345.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
David A. DiMarzio and Denise M. Forsberg-DiMarzio	$ 90,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $90,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 32.72 acres of land owned by Raymond J. Sansoucy and Janet B. Sansoucy, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $255,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 32.72 acres of land owned by Raymond J. Sansoucy and Janet B. Sansoucy, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain adjoining parcels of land lying on the northwesterly side of Raymond Huntington Highway-Interstate 190, in the northwesterly corner of the said Town of West Boylston, more particularly bounded and described as follows:

Parcel 1.

A certain parcel of registered land beginning at a concrete bound on the northwesterly line of Raymond Huntington Highway-Interstate 190, at other land now or formerly of Raymond J. and Janet B. Sansoucy described below as Parcel 2, said bound being at the southwesternmost point of the parcel herein being described;

Thence N. 20° 52′ 31" W., 427.18 feet, by Parcel 2, to a concrete bound;

Thence N. 20° 49′ 55" W., 395.60 feet, by Parcel 2, to a drill hole:

Thence N. 20° 26′ 52" W., 1085.21 feet, partially by Parcel 2 and partially by land now or formerly of Daniel N. and Norina C. Mercurio, running through a concrete bound and continuing to a stone bound at the northwesterly corner of the parcel being described, and at land now or formerly of George Kristoff et als.;

Thence N. 48° 48′ 03" E., 744.00 feet, to a drill hole at the northeasterly corner of the property being described, at land now or formerly of Barbara Anderson, this course being by land now or formerly of G. Kristoff, et als;

Thence S. 23° 27′ 40" E., 486.71 feet, to a concrete bound;

Thence S. 81° 42′ 40" E., 244.20 feet, to a point, at land formerly of Norman Goodale et al., now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last two courses being by land now or formerly of B. Anderson;

Thence S. 29° 57′ 40" E., 101.64 feet to a point;

Thence S. 07° 42′ 40" E., 313.50 feet, to a railroad spike found in a tree root;

Thence S. 00° 02′ 20" W., 350.46 feet to a point;

Thence S. 11° 17′ 20" W., 382.14 feet to a drill hole;

Thence N. 81° 08′ 54" W., 89.76 feet, to a concrete bound;

Thence S. 06° 51′ 34" W., 489.50 feet, to a concrete bound at a point on the northwesterly line of Raymond Huntington Highway-Interstate 190, the last six courses being by land formerly of Norman Goodale et al.;

Thence Southwesterly, by the highway, along the arc of a curve with a radius of 5250.00 feet, an arc distance of 277.13 feet, to the concrete bound first mentioned, being the point and place of beginning.

Containing 31.217 acres, more or less, by calculation, and shown upon Land Court Plan 35272 A, Sheet 2 of 2, registered with the Worcester Registry District of the Land Court on August 19, 1983, with Certificate No. 10352, in Registration Book 52.

Parcel 2.

A certain parcel of unregistered land, beginning at the same concrete bound referenced above as the beginning and ending point in the description of Parcel 1;

Thence N. 20° 52′ 31" W., 427.18 feet, by Parcel 1, to a concrete bound;

Thence N. 20° 49′ 55" W., 395.60 feet, by Parcel 1, to a drill hole in a stone;

Thence N. 20° 26′ 52" W., 246.00 feet, by Parcel 1, to a point;

Thence S. 14° 31′ 28" E., 1138.88 feet, by land now or formerly of Daniel N. and Norina C. Mercurio, to a point in the northerly side of Raymond S. Huntington Highway;

Thence Northeasterly, by the northerly line of Raymond Huntington Highway, along the arc of a curve to the right having a radius of 5250.00 feet, an arc distance of 139.0 feet, to the concrete bound first mentioned, being the point and place of beginning.

Containing 1.499 acres, more or less, as shown as Lot 1 upon a plan entitled "Plan of Land in West Boylston, Mass. Owned by Daniel N. Mercurio," dated September 29, 1986, prepared by Stanley R. Tokarz, R.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 106 in Plan Book 564.

The total area of the two parcels described above, intended to be taken herein and hereby, is calculated to be 32.716 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, including any and all right, title and interest of the supposed owners in and to Raymond S. Huntington Highway - Route 190 as a result of said ownership. Parcel 1, as described above, is the second parcel listed in Decree No. 630, Certificate of Title No. 10352 issued by the Land Court on August 17, 1983, upon a petition numbered 35272. Parcel 2, as described above, is described in a deed from Janet L. Buck to Raymond J. Sansoucy and Janet B. Sansoucy, dated March 22, 1979, and recorded with Worcester District Registry of Deeds in Book 6693, Page 167. Parcel 2, as above described, was determined by the Land Court not to be a part of the registered land and as such it reverted to the abutters Daniel N. Mercurio and Norina C. Mercurio, who in turn subsequently reconveyed the parcel by deed from Daniel N. Mercurio and Norina C. Mercurio to Raymand J. Sansoucy and Janet B. Sansoucy, dated October 29, 1986, and recorded with Worcester District Registry of Deeds in Book 9931, Page 208.

The above described property is represented upon West Boylston Assessors Tax Map 107 as Parcels 20 and 21.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Raymond J. Sansoucy and Janet B. Sansoucy	$ 255,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $255,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2 acres of land owned by E. Leo Attella and Mary A. Attella, located in the Town of West Boylston, Massachusetts, and to approve an award of damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2 acres of land owned by E. Leo Attella and Mary A. Attella, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southwesterly side of Fairbanks Street, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel herein being described, at a drill hole in a stone wall marking the southwesterly line of Fairbanks Street, at the northeasterly corner of land located at #155 Fairbanks Street, formerly of Nicholas L. Gain et ux, now or formerly of William J. & Nancy G. McCarthy;

Thence Southwesterly, 481.84 feet, by land, formerly of Nicholas L. Gain et ux, now or formerly of William J. & Nancy G. McCarthy, to a point in a stone wall, at land, formerly of Frank L. Coes, now or formerly, of Joseph A. Giobellina & Ermengildo Giobellina;

Thence Northerly, 215.24 feet, by the stone wall and land, formerly of Frank L. Coes, now or formerly, of Joseph A. Giobellina & Ermengildo Giobellina, to a point in a corner of walls, at land, formerly of John L. Peters et al, now or formerly, of Carl R. & Muriel B. Swenson;

Thence Northeasterly, 402.00 feet, by the stone wall and land, formerly of John L. Peters et al, now or formerly, of Carl R. & Muriel B. Swenson, to a point in a wall corner in the southwesterly line of Fairbanks Street;

Thence Southeasterly, 22.82 feet, 83.32 feet and 93.86 feet, or 200.00 feet in total, by the stone wall and the southwesterly line of Fairbanks Street to the drill hole first mentioned being the point and place of beginning.

Containing 2.00 acres, more or less, by estimate, and shown as Lot 1 upon subdivision Plan #16881B drawn by Charles A. Perkins Co., surveyors, dated April 1962, as modified and approved by the Land Court, filed in the Land Registration Office, a copy of a portion of which is filed with the Worcester Registry District of Worcester District Registry of Deeds, as Certificate No. 4658.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Fairbanks Street which may be held by the supposed owners as a result of their ownership of the above described premises, and being the same premises described in a deed from Robert A. Borgatti to E. Leo Attella and Mary A. Attella, dated August 18, 1970, and registered with the Worcester Registry District of the Land Court as Document No. 26550, on September 8, 1970. See Land Court Transfer Certificate of Title No. 7653 in Worcester Registry District Registration Book 39.

The above described property is represented upon West Boylston Assessors Tax Map 111 as Parcel 3.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
E. Leo Attella and Mary A. Attella	$ 16,000.00

The Commission further V O T E D: to approve an award of damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray and Mrs. O'Brien, July 3, recommending that the Commission approve and accept a gift of a recreation and public access easement of approximately 2.25 acres of land owned by PL 20 Cabot Properties Limited Partnership, located in the City of Medford, Massachusetts, for parks purposes.
The Commission V O T E D: to approve and accept a gift of a recreation and public access easement of approximately 2.25 acres of land owned by PL 20 Cabot Properties Limited Partnership, located in the City of Medford, Massachusetts, for parks purposes.
The Secretary then submitted for signature Easement Agreement, dated July 1, 1998, by and between PL 20 Cabot Properties Limited Partnership and the Metropolitan District Commission, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. Gray, July 6, recommending that the Commission affirm its earlier vote of June 18, 1998, and adopt an Order of Taking for acquisition of approximately 0.326 acres of land owned by Andrew S. Chong, Trustee of YKC Revocable Trust, and/or The Trust for Public Land, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $92,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account Number 2440-8960.

The Commission V O T E D: to affirm its earlier vote of June 18, 1998, and adopt an Order of Taking for acquisition of approximately 0.326 acres of land owned by Andrew S. Chong, Trustee of YKC Revocable Trust, and/or The Trust for Public Land, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 9, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Dorchester District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Edgewater Drive, between said Drive and lands now of the Commonwealth of Massachusetts, Metropolitan District Commission, Neponset River Reservation, more particularly bounded and described as follows:

That certain parcel of land shown as Lot 3 upon a subdivision plan drawn by Joseph Selwyn, Surveyor, dated November 16, 1963, as approved by the Court, filed in the Land Registration Office of the Land Court as Plan No. 24211-C, a copy of a portion of which is filed with Certificate of Title No. 71975 in the Suffolk Registry District.

The above described land is subject to, and has the benefit of the terms of a stipulation between John Philopoulos and the City of Boston, filed with the papers in Case No. 24211 on April 29, 1954, a copy of which is filed with the Suffolk Registry District as Document No. 221713-A, pertaining to the City of Boston easement as shown on said plan.

The above described land is subject to the flow of a natural water course running through the same and shown on said plan as Oakland Brook.

The above described land is subject to such flowage rights as may exist at date of original decree.

The above described land is also subject to a right of way reserved in a grant made by the Commonwealth of Massachusetts to John Philopoulos, pertaining to a dam, dated August 17, 1950, duly recorded with Suffolk County Registry of Deeds in Book 6632, Page 173.

The above described land contains 0.326 acres, more or less, as listed by the Assessing Department of the City of Boston, and carried upon the tax rolls as Parcel 1161-1 in Ward 18, located at # 10 Edgewater Drive.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Edgewater Drive which may be held by the supposed owner as a result of its ownership of the above described property, and being the same premises described in a deed from Blanchard Mattapan, Inc., to Andrew S. Chong, Trustee of YKC Revokable Trust, dated November 5, 1993, registered in the Suffolk County Registry District as Document No. 507072, Certificate No. 107868, Registration Book 535, Page 68.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Andrew S. Chong, Trustee YKC Revocable Trust and/or the Trust For Public Land	$ 92,000.00

Document No. 507072
Certificate No. 107868
Registration Book 535, Page 68

The Commission further V O T E D: to approve an award of damages in the amount of $92,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:40 a.m., to meet on Thursday, July 30, 1998, at 9:00 a.m.

William F. Cushel
Secretary

Record of the Three Thousand Eight Hundred and Fifty Eighth (3858th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 30, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Settles and Wu.

The Records of the Commission Meeting held on July 2, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P98-1958-C1A, dated July 30, 1998, with Coviello Electric and General Contracting Co., Inc., for Reconstruction of Traffic Signal System - VFW Parkway at Corey Street, West Roxbury.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Abounaja, July 8, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 4 - for furnishing and installing a GEO Fabric Mat - at a cost of $8,600.00, on Contract No. P97-1898-C1A, with RHD Construction Co., Inc., for Unquity Road, Landfill Closure, Milton.
Account No. 2490-0009.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 4, on Contract No. P97-1898-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $8,600.00.

3. Report of Messrs. Faucher, Brooks and Abounaja, July 13, recommending approval of a revision in quantities on Item No. 003-002 - Crew Shift - at a cost of $38,436.88, on Contract No. P95-1792-C1B, with Environmental Restoration, Inc., for Lead Paint Removal at Various MDC Facilities.
Account No. 2440-8885.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Brooks, July 17, on bids for Service and Maintenance of Elevators at Various MDC Locations, Contract No. P98-1963-M1A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of Keystone Elevator Co., Inc., of $47,100.48).
Messrs. Faucher and Brooks further request execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Keystone Elevator Co., Inc., of $47,100.48.
The Secretary then submitted for signature Contract No. P98-1963-M1A, dated July 30 1998, with Keystone Elevator Co., Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher and Brooks, July 21, on bids for Service to Hydraulic Systems at Various Flood Control and Navigational Sites, Contract No. P98-1965-M1A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of The Entwistle Company, of $55,910.00).
Messrs. Faucher and Brooks further request execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of The Entwistle Company, of $55,910.00.
The Contract did not arrive in time for Commission execution, therefore, the Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on its behalf.

2. Report of Messrs. Faucher and Park, June 3, recommending the following on Contract No. P98-1943-C1A, with Reliable Roofing, Inc., for Emergency Contract to Replace the Roof at Stony Brook Maintenance Garage, Hyde Park -
(a) That work be accepted as completed as of May 1, 1998.
(b) That Estimate No. 2 (Final), in the amount of $8,730.50, be approved for payment.
(c) That reserve, in the amount of $5,724.50, be approved for payment.
(Basis of Award - $114,490.00)
(Amount to Date - $114,490.00)
(Contract Performance Rating - 70 with 100 being excellent)
(EEO Compliance - 3.66)
The Commission V O T E D: that the work of Reliable Roofing, Inc., Contractor under Contract No. P98-1943-C1A, be and hereby is accepted as completed as of May 1, 1998.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $8,730.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,724.50, for payment.

3. Report of Messrs. Faucher and Jackson, July 23, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1954-C2A for Construction of New Playground at Caddy Park, Quincy.
Estimated Cost - $175,000.00.
Estimated Completion Time - three months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1954-C2A for Construction of New Playground at Caddy Park, Quincy.

4. Report of Messrs. Faucher and Jackson, July 23, on bids for Construction of New Playground at Nantasket Beach, Hull, Contract No. P98-1954-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of R.A.D. Corporation, of $96,870.00).
The Commission V O T E D: to accept the lowest bid received, that of R.A.D. Corporation, of $96,870.00.

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1. Report of Messrs. Faucher and DiRamio, June 29, recommending the following on Contract No. P95-1783-D1A, with Brown and Rowe, Inc., for Professional Design Phase Services - Rehabilitation of Constitution Beach, East Boston -

(a) That work be accepted as completed as of February 28, 1998.

(b) That Estimate No. 22 (Final), in the amount of $4,148.53, be approved for payment.

(c) That retainage, in the amount of $44,151.69, be approved for payment.

(Basis of Award - $417,934.00)
(Amount to Date - $572,322.85)
(Consultant Performance Rating - 6.00 with 10.00 being excellent).
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Brown and Rowe, Inc., Consultant under Contract No. P95-1783-D1A, be and hereby is accepted as completed as of February 28, 1998.
The Commission further V O T E D: to approve Estimate No. 22 (Final), in the amount of $4,148.53, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $44,151.69, for payment.

2. Report of Messrs. Faucher and Sacco, July 23, on bids for Installation of Traffic Semaphore Gates - Craigie Drawbridge, Boston, Contract No. P98-1971-C1A.
(Messrs. Faucher and Sacco recommend acceptance of the lowest bid received, that of RMH Electric Company, Inc., of $45,500.00).
Messrs. Faucher and Sacco further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of RMH Electric Company, Inc., of $45,500.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

3. Report of Messrs. Faucher and Griffin, July 24, recommending authorization for RHD Construction Co., Inc., to engage the services of the following sub-contractors on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown -

J. D'Amico, Inc.

Item No. 015 $9,000.00
Remove and Rest Hydrant and Related Piping

D & D Concrete Pumping Corp.

Alt. #2 & 022 $8,000.00
Cast in Place Concrete
(At no additional Contract cost).

The Commission V O T E D: authorization for RHD Construction Co., Inc., to engage the services of J. D'Amico, Inc. and D & D Concrete Pumping Corp., as sub-contractors on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, as recommended by Messrs. Faucher and Griffin, in their report of July 24, 1998.

4. Report of Messrs. Faucher and Machado, July 24, recommending

approval of the action of Acting Director Faucher resulting in the following on Contract No. P97-1918-C1A, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan Area -

Extra Work Order No. 2 **$6,592.00**
New surface to deck - Magazine Beach Pool, Cambridge.

Extra Work Order No. 3 **$7,879.50**
Crack seal with Bituminous Concrete - Southwest Corridor

Extra Work Order No. 4 **$6,000.00**
Gravel at the Medford Boathouse Parking Lot, Medford

At no increase in Contract Cost as the Extra Work will be offset by unused quantities in Item No. 018-010 - Cement Concrete Sidewalks, Medians and Traffic Islands, One Course, 4" Thick.
Messrs. Faucher and Machado further request authorization for D & R General Contracting, Inc., to engage the services of Superior Sealcoat, Inc., to perform the work required under Extra Work Order No. 2 and Extra Work Order No. 3.
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Extra Work Order No. 2, 3 and 4, on Contract No. P97-1918-C1A
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $6,592.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $7,879.50.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $6,000.00.
The Commission further V O T E D: authorization for D & R General Contracting, Inc., to engage the services of Superior Sealcoat, Inc., to perform the work required under Extra Work Order No. 2 and Extra Work Order No. 3.

1. Report of Messrs. Faucher and Lenhardt, July 27, on bids for Pope John Paul II, Park Development - Phase 1 - Neponset River Reservation, Boston, Contract No. PL97-044-C1A.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest bid received, that of Wes Construction Corp., of $8,013,500.00 - which includes base bid plus 2 Alternates).
Account Nos. 2440-9800 and 2420-8961. In addition, $230,000.00 is available in mitigation funds relative to construction of the Old Colony Line.
The Commission V O T E D: to accept the lowest bid received, that of Wes Construction Corp., of $8,013,500.00, which includes base bid plus 2 Alternates.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, July 13, on proposals for the purchase of forest products located on the Quabbin, Ware River, Wachusett and Sudbury Watersheds.
The Commission V O T E D: to accept the only qualified bid, that

of Burleigh Stanton, of $3,041.00; to purchase approximately 6,600 board feet of timber and 297 cords of firewood on Timber Lot No. 121AA - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $22,191.59; to purchase approximately 199,629 board feet of timber, 30 cords of firewood and 1,477 tons of pulp on Timber Lot No. 151 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $8,865.19; to purchase approximately 75,128 board feet of timber, 118 cords of firewood and 205 cords of pulp on Timber Lot No. 19 - Sudbury Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Ent., of $8,700.00; to purchase approximately 115,745 board feet of timber, 70 cords of firewood and 228 tons of pulp on Timber Lot No. 262A - Ware River Watershed.
The Commission further V O T E D: to accept the second highest qualified bid that of New England Forest Products, of $6,449.00; to purchase approximately, 535 board feet of timber and 11 cords of firewood on Timber Lot No. 269 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid that of King-Chaffee Ent., of $24,510.00; to purchase approximately 217 board feet of timber on Timber Lot No. 270 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified, that of Tommila Bros., of $5,795.10; to purchase approximately 28,011 board feet of timber, 234 cords of firewood and 18 cords of firewood in tops on Timber Lot No. 772A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of $11,063.44; to purchase approximately 117,400 board feet of timber, 211 cords of firewood and 50 cords in tops on Timber Lot No. 808 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Native American Hardwood, of $50,142,87; to purchase approximately 232,545 board feet of timber, 366 cords of firewood and 192 cords in tops on Timber Lot No. 809 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $8,430.00; to purchase approximately 47,132 board feet of timber, 255 cords of firewood and 23 cords of firewood in tops on Timber Lot No. 810 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson, of $12,303.86; to purchase approximately 206,420 board feet of timber, 310 cords of firewood, 75 cords in tops and 492 tons of pulp on Timber Lot No. 811 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Ent., of $15,500.00; to purchase approximately 142,896 board feet of timber, 15 cords of firewood, 195 tons of pulp in tops and 121 tons of pulp don Timber Lot No.

812 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Bros. Lumber, of $23,852.00; to purchase approximately 205,600 board feet of timber, 65 cords of firewood, 20 cords in tops and 162 tons of pulp on Timber Lot No. 813 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Bros., of $72,458.04; to purchase approximately 354, 370 board feet of timber, 901 cords of firewood, 237 cords of firewood in tops and 272 tons of pulp on Timber Lot No. 814 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Chet Lubelczyk, of $420.00; to purchase approximately 70 cords of firewood on Timber Lot No 815 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Baratta, July 15, recommending the following on Contract No. WM98-061-S1A, with Consultants To Management, Inc., for Sewer User Rate Assessment, City of Worcester -
(a) That work be accepted as completed as of June 30, 1998.
(b) That reserve, in the amount of $1,625.43, be approved for payment.
(Basis of Award - $25,000.00)
(Amount to Date - $16,254.30)
(Consultant Performance Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Consultants To Management, Inc., Consultant under Contract No. WM98-061-S1A, be and hereby is accepted as completed as of June 30, 1998.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,625.43, for payment.

2. Report of Messrs. McGinn and Kane, July 24, recommending the following on Contract No. WM94-008-C1A, with S.J.V. Electric, Inc., for Furnishing and Installing Electrical Generation and Associated Work at Quabbin Administrative Complex, Belchertown -
(a) That work be accepted as completed as of December 31, 1997.
(b) That Estimate No. 4 (Final), in the amount of $8,683.07, be approved for payment.
(c) That reserve, in the amount of $3,427.09, be approved for payment.
(Basis of Award - $54,437.00)
(Total to Date - $68,541.89)
(Contract Performance Rating - 35 on a scale of 1 - 100, with 70 passing)
(EEO Compliance Rating - N/A)
The Commission V O T E D: that the work of S.J.V. Electric, Inc., Contractor under Contract No. WM94-008-C1A, be and hereby is accepted as completed as of December 31, 1998.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $8,683.07, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,427.09, for payment.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Messrs. Gray and Hart, July 6, recommending the following on Consultant Contract No. RP98-0001-WS1, with Andrysick Land Surveying, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 28, 1998.
(b) That Invoice No.1 (Final), in the amount of $10,205.00, be approved for payment.
(Basis of Award - $10,205.00)
(Amount to Date - $10,205.00
(Consultant Performance Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Andrysick Land Surveying, Inc., Contractor under Contract No. RP98-001-WS, be and hereby is accepted as completed as of June 28, 1998.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $10,205.00, for payment.

2. Report of Messrs. Gray and Hart, July 6, recommending the following on Consultant Contract No. RP98-0001-WS2, with Berry Engineering, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 26, 1998.
(b) That Invoice No. 1 (Final), in the amount of $4,740.00, be approved for payment.
(Basis of Award - $4,740.00)
(Amount to Date - $4,740.00)
(Consultant Performance Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Berry Engineering, Inc., Contractor under Contract No. RP98-0001-WS2, be and hereby is accepted as completed as of June 26, 1998.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $4,740.00, for payment.

3. Report of Messrs. Gray and Hart, July 6, recommending the following on Consultant Contract No. RP98-0001-WS3, with Bouley Brothers, for Professional Land Surveying Services for the Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of July 2, 1998.
(b) That Invoice No. 2 (Final), in the amount of $3,900.00, be approved for payment.
(Basis of Award - $4,900.00)
(Amount to Date - $4,900.00)
(Consultant Performance Rating - 8.50 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Bouley Brothers, Contractor under Contract No. RP98-0001-WS2, be and hereby is accepted as completed as of July 2, 1998.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $3,900.00, for payment.

Action was taken upon the following Various Matters:

1. Report of Commissioner Balfour, July 29, recommending that the Commission amend its vote of June 18, 1998, concerning Embankment Road, to include the stretch of Embankment Road from Arlington Street to Charles Street Circle, in honor of Mr. Mugar.
The Commission V O T E D: to amend its vote of June 18, 1998, concerning Embankment Road, to include the stretch of Embankment Road from Arlington Street to Charles Street Circle, in honor of Mr. Mugar, as recommended by Commissioner Balfour in his report of July 29, 1998.

2. Report of Mr. Jewett, July 29, on bids for Collection and Disposal of Waste and Rubbish from MDC Facilities, Contract No. CC99-001-X1A.
(Mr. Jewett recommends acceptance of the lowest bid received, that of Waste Management of Massachusetts, of $596,148.00).
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Waste Management of Massachusetts, of $596,148.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

3. Permit-Agreement with Family Affair Catering, to operate the concession at Ponkapoag Golf Course, Canton, for the remainder of the 1998 Golf Season thru the year 2002.
(The Commission awarded the Permit-Agreement to Family Affair Catering at its meeting of July 2, 1998).
Permission is requested to authorize Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.
The Commission V O T E D: to authorize Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.

Adjourned at 9:40 a.m., to meet on Thursday, August 6, 1998, at 10:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Eight Hundred and Fifty Ninth (3859th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 6, 1998 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Wu.

The Records of the Commission Meeting held on July 9, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Woodyatt, July 16, recommending the following on Contract No. P97-1917-C1A, with West Princeton Corp., for Interpretive Plaza at Don Kent Park, Quincy Shore Drive, Quincy -
(a) That work be accepted as completed as of May 31, 1998.
(b) That Estimate No. 2 (Final), in the amount of $1,889.08, be approved for payment.
(c) That reserve, in the amount of $1,038.49, be approved for payment.
(Basis of Award - $20,770.00)
(Amount to Date - $20,770.00)
(Contract Performance Rating - 3.70)
(EEO Compliance - 4.20)
The Commission V O T E D: that the work of West Princeton Corp., Contractor under Contract No. P97-1917-C1A, be and hereby is accepted as completed as of May 31, 1998.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $1,889.08, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,038.49, for payment.

2. Report of Messrs. Faucher and Park, June 8, recommending the following on Contract No. P98-1946-C1A, with Prime Coatings, Inc., to Sandblast and Paint Pools, Waltham, Chelsea, Somerville (Dilboy) and Melrose -
(a) That work be accepted as completed as of June 6, 1998.
(b) That Estimate No. 2 (Final), in the amount of $128,406.40, be approved for payment.
(c) That reserve, in the amount of $14,697.57, be approved for payment.
(Basis of Award - $230,400.00)
(Amount to Date - $293,951.38)
(Contract Performance Rating - 4.20)
(EEO Compliance - 4.17)
The Commission V O T E D: that the work of Prime Coatings, Inc., Contractor under Contract No. P98-1946-C1A, be and hereby is accepted as completed as of June 6, 1998.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $128,406.40, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $14,697.57, for payment.

1. Report of Messrs. Faucher and Haider, May 10, recommending the following on Contract No. P97-1895-C1A, with P. J. Kennedy & Sons, Inc., for Installation of HVAC Systems at the Bajko, Bryan and Connery Ice Skating Rinks -
(a) That work be accepted as completed as of April 30, 1998.
(b) That Estimate No. 4 (Final), in the amount of $14,133.70, be approved for payment.
(c) That reserve, in the amount of $24,927.72, be approved for payment.
(Basis of Award - $426,300.00)
(Amount to Date - $498,554.40)
(Contract Performance Rating - 90 with 100 being excellent)
(EEO Compliance - 3.33)
The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor, under Contract No. P97-1895-C1A, be and hereby is accepted as completed as of April 30, 1998.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $14,133.70, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $24,927.72, for payment.

2. Report of Messrs. Faucher and Brooks, July 21, on bids for Service to HVAC Systems at Various Flood Control Navigational Sites, Contract No. P98-1964-M1A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of $52,680.00).
They further request execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of $52,680.00.
The Secretary then submitted for signature Contract No. P98-1964-M1A, dated August 6, 1998, with Patrick J. Kennedy & Sons, Inc., which was signed by the Commissioner and two Associate Commissioners.

3. Report of Messrs. Faucher and DiRamio, July 24, requesting authorization for B & E Construction Corporation, to engage the services of the following sub-contractors on Contract No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston -

D & R General Contracting, Inc.

Bituminous Concrete Paving - Fine Grading and Compacting - Bituminous Concrete Sidewalk & Drives and Bituminous Concrete Wheel Chair Ramp - Total - $276,070.00

DeLucca Fence Company, Inc.

Fencing - Total - $ 87,845.00

F. C. Construction Corporation

Granite Curbing - Total - $ 88,543.75
(At no increase in Contract Cost).
The Commission V O T E D: authorization for B & E Construction Corporation, to engage the services of D & R General Contracting, Inc., DeLucca Fence Company, Inc. and F. C. Construction Corporation, as sub-contractors on Contract No. P95-1783-C1A.

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1. Report of Messrs. Faucher and Griffin, July 31, recommending authorization for RHD Construction Co., Inc., to engage the services of the following sub-contractors on Contact No. PL82-1022-C1A, for Revere Landing Park, Charlestown -

Boston Contract Drilling Co. Inc.

Item No. 033 - Core drill holes for railings - $ 2,500.00

Ellis Painting, Inc.

Item No. 035 - Clean and repair existing fencing - $20,000.00
(At no additional contract cost).
The Commission V O T E D: authorization for RHD Construction Co., Inc., to engage the services of Boston Contract Drilling Co., Inc. and Ellis Painting, Inc., as sub-contractors on Contact No. PL82-1022-C1A.

2. Report of Messrs. Faucher, Brooks and Haider, July 22, requesting that the Commission reject the only bid received, that of Inner Space, Inc., for Project No. P98-1966-M1A, Service for Underwater Structure Systems at Various Flood Control Navigational Sites, and authorize the re-advertisement of the project as Project No. P98-1966-M2A.
Estimated Cost - $77,725.00.
Account No. 2440-0010.
The Commission V O T E D: to reject the only bid received, that of Inner Space, Inc., for Project No. P98-1966-M1A, Service for Underwater Structure Systems at Various Flood Control Navigational Site.
The Commission further V O T E D: to authorize the re-advertisement of the project as Project No. P98-1966-M2A.

3. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, July 24, recommending approval of a revision in quantities on Item No. 022-010 - reinforced concrete, at a cost of $96,250.00, on Contract No. PL82-1022-C1A, with RHD Construction Company, for Revere Landing Park.
Account No. 2449-6033.
The Commission V O T E D: Approved.

4. Report of Mr. Faucher and Mrs. Graves-Jones, July 23, recommending approval of a revision in quantities on Item No. 003-010 - 4 Inch Reflectorized Line Thermo - at a cost of $17,250.00, on Contract No. P98-1924-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-010 - 4 Inch Reflectorized Line (Paint) and Item No. 002-010 - 6 Inch Reflectorized Line (Paint).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Machado, June 22, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Contract No. P97-1918-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan Area, as follows -

Item No. 005-010 **$ 60,000.00**
Catch Basins and Manholes - Adjusted to Grade
Item No. 019-010 **$ 39,996.00**
Cement Concrete Sidewalks, Driveways - Median and Traffic Islands - One Course, 6" Thick with Welded Wire Mesh.
Item No 021-010 **$ 99,992.50**
Bituminous Concrete For Sidewalks - Driveways - Patching Small Parking Lots and Sports Courts
Total - $199,988.50
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010 - Unclassified Excavation, 003-010 - Gravel Borrow, 004-010 - Loam Borrow, 020-010 - Pedestrian Ramps, 025-010 - Bales of Hay for Erosion Control, 026-010 - Sedimentation Fence for Erosion Control and Extra Work Order No. 1).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1918-C1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $199,988.50, a recommended by Messrs. Faucher and Machado in their report of June 22, 1998.

1. Report of Messrs. Faucher and Machado, July 30, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Contract No. P97-1920-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, as follows -
Item No. 038-010 **$ 6,000.00**
Bituminous Concrete Curb - Type 2
Item No. 046-010 **$ 6,000.00**
Four Inch Painted Lines Requiring Layout of Pavement Markings
Item No. 047-010 **$15,000.00**
Expansion Joint Replacement
Total - $27,000.00
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010 - 0" - 4" - Cold Planning).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1920-C1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $27,000.00, a recommended by Messrs. Faucher and Machado in their report of July 3, 1998.

2. Report of Messrs. Faucher, Carrigan and Machado, July 29, requesting that the Commission Amend its vote of June 11, 1998, changing the vote to read Extra Work Order No. 5, instead of Extra Work Order No. 3, on Contract No. P96-1863-C1A, with D & R General Contracting Company, Incorporated, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
The Commission V O T E D: to Amend its vote of June 11, 1998,

changing the vote to read Extra Work Order No. 5, instead of Extra Work Order No. 3, on Contract No. P96-1863-C1A, with D & R General Contracting Company, Incorporated, as requested by Messrs. Faucher, Carrigan and Machado in their report of July 29, 1998.

1. Report of Messrs. Faucher, Brooks and Abounaja, July 22, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 4 - for additional work - at a cost of $124,442.86, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean-Up at Various Facilities. (At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-004 - furnish and install 4000 gallon underground heating oil fuel tank and Item No. 002-005 - furnish and install 5000 gallon underground heating oil fuel tank).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 4, on Contract No. P95-1789-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $124,442.86.

2. Report of Miss Overton and Messrs. Faucher and Orfant, July 24, requesting approval of an extension of time from August 31, 1998 to December 31, 1999, on Contract No. P95-1804-S1A, with Sasaki Associates, Inc., for Dorchester Shores Beach Restoration Program, due to the need to complete contract documents for the restoration of Savin Hill, Inner Malibu and Tenean Beaches.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Abounaja, July 27, requesting additional funding in the sum of $50,000.00 to abate asbestos from MDC Wachusett Facilities, 194 Pierce Street, West Boylston and the Pig Farm, in Hubbardston, on Contract No. P88-1548-C4A, with SCS Environmental, Inc., for Asbestos Abatement at Various Facilities.
Account No. 2420-1400.
The Commission V O T E D: Approved as requested by Messrs. Faucher, Brooks and Abounaja in their report of July 27, 1998.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Baratta, July 13, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Inter-Departmental Service Agreement with the Department of Environmental Protection, for review of Contract specifications and documentations necessary to obtain SRF funding.
Estimated Cost - $30,000.00.
Time for Performance - one year.
Account No. 2420-1400.
The Commission V O T E D: to approve the Inter-Departmental Service Agreement with the Department of Environmental Protection, for review of Contract specifications and

documentations necessary to obtain SRF funding.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, the Inter-Departmental Service Agreement with the Department of Environmental Protection.

1. Report of Messrs. McGinn and Baratta, July 13, requesting approval of Alteration No. 1, for a modification in sewage storage capacity required for each grinder pump installation, at an increase in cost of $13,203.90, on Contract No. WM95-061-C1A, with Roads Corporation, for Fast Track Sewer Construction Pinecroft Area.
Account No. 2460-7961.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $13,203.90.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Messrs. Gray and Hart, July 6, requesting the following on Consultant Contract No. RP98-0001-WS4, with Hub Survey Associates Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 30, 1998.
(b) That Invoice No. 1 (Final), in the amount of $7,900.00, be approved for payment.
(Basis of Award - $7,900.00)
(Amount to Date - $7,900.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Hub Survey Associates, Inc., Consultant under Contract No. RP98-0001-WS4, be and hereby is accepted as completed as of June 30, 1998.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $7,900.00, for payment.

2. Report of Mr. Gray, August 3, recommending that the Commission affirm its earlier vote of July 9 1998, and adopt an Order of Taking for acquisition of approximately 581 acres of land owned by George Kristoff Jr., et als, located in the Towns of Sterling, Holden and West Boylston, Massachusetts, and to approve an award of damages in the amount of $6,500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A; and further recommending that $700,000.00 be withheld from that amount until environmental remediation on said land is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection. Account No. 2420-8936.
On questioning by Associate Commissioner Wu, Mr. Gray explained that the land owners are planning to use a portion of the pro tanto award for financing the capping and closure of two landfills on the remaining property which is excluded from the premises taken by the Commission.
He noted that the Department of Environment Protection has

jurisdiction over the landfills and they will proceed with enforcing remediation on site.
Mr. Gray further explained that the land owners are completing a survey delineating the excluded landfill area which will be recorded prior to the recording of the order of taking, and that the costs of that survey will be paid from the pro tanto award, as reduced by the Commission, of $5,800,000.00.
The Commission V O T E D: to affirm its earlier vote of July 9 1998, and adopt an Order of Taking for acquisition of approximately 581 acres of land owned by George Kristoff Jr., et als, located in the Towns of Sterling, Holden and West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 6, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling, Holden and West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain tract of land containing approximately 581 acres in total, being and comprising all right, title and interest in and to that land situated on and off the westerly sideline of Redemption Rock Trail (Route 140) in the Towns of Sterling, Holden and West Boylston, now owned by the supposed owners of record and as shown on the attached Exhibit "A," but expressly excluding from the premises taken hereby two (2) parcels as depicted on said Exhibit A: one parcel of land situated in said Town of Sterling containing approximately 12.223 acres and being shown on a plan entitled "Land in Sterling, Mass. Owned by George & Joseph Kristoff," dated April 19, 1974, and recorded with the Worcester District Registry of Deeds as Plan 122 in Plan Book 396; and one parcel of land also situated in said Town of Sterling and containing approximately 14.2 acres, which area shall be more accurately delineated on a survey plan

prepared by Central Mass. Engineering & Survey, Inc., Robert J. Parente, RLS, dated August, 1998, which plan shall be recorded with the Worcester District Registry of Deeds prior to the recordation of this order and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Redemption Rock Trail, Merrill Road and Legg Road which may be held by the supposed owners of record. Excluding the above referenced two parcels and all property otherwise conveyed out as of the date of this taking, the premises taken hereby include all portions of the subject properties situated on and off the westerly side of Redemption Rock Trail (Route 140) as described in the following: the probate inventory and schedule of real estate in the Estate of George Kristoff, Worcester Probate Court Docket No. 85P-2766-E, and the deed from John D. Kristoff to Paul M. Sushchyk, Trustee, dated June 2, 1988, and recorded with said Deeds in Book 11383, Page 157.

Excluding the two parcels shown on the attached Exhibit "A," as above, and excluding that property conveyed by deed of William W. Cotting, Trustee et al to Kevin Kristoff and Deborah Dupuis, dated October 24, 1994, and recorded with said Deeds in Book 16933, Page 210, the premises taken hereby is described in the following deeds duly recorded with said Worcester District Registry of Deeds: Book 2570, Page 189; Book 2883, Page 163; Book 3115, Page 70; Book 3588, Page 296; Book 3588, Page 305; Book 3742, Page 246; Book 3742, Page 283; Book 3742, Page 288; Book 3992, Page 250; Book 4169, Page 239; Book 5007, Page 380; Book 5309, Page 207; Book 16933, Page 212; and a deed from Michael J. Kristoff and Angelina A. Culley, to George W. Kristoff Jr., et als, dated July 24, 1998, which deed shall be recorded with said Deeds prior to the recordation of this order.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission hereby expressly grants a permanent right of way easement on, over and through the existing Merrill Road as presently situated on said premises to the owners of record, to access the two parcels referenced above and expressly excluded from the premises taken hereby, which two parcels are situated on said Road and the extension of said Road. Said right of way shall be used in all ways and for all purposes consistent with such streets and ways in the Town of Sterling, but at no cost or obligation to the Commonwealth. Said right of way shall extend from said Merrill Road at its point of beginning with Redemption Rock Trail, along and to its end point as laid out as a public way, and shall continue to extend along and on said premises, as said private way is presently configured, to the end point at its intersection with the 14.2-acre excluded parcel, as above referenced. Nothing stated herein shall be construed as hindering or otherwise denying the rights of the public in and to the public portion of said Merrill Road, or the owners of the two excluded parcels, of the right and ability to seek and obtain any and all local, municipal, and state approvals as may be required, to widen or improve said Merrill Road and its remaining area of extension, including the placement of utilities or utility delivery systems, or to subdivide and sell all or any portion of the parcels held in fee by said owners and duly excluded from the premises taken hereby.

The Commission hereby declares it necessary to withhold a portion of the pro tanto amount listed below, in the sum of $ 700,000.00, which sum shall be utilized to fund the environmental remediation required on the premises in accordance with and to the extent required by regulations

promulgated by the state Department of Environmental Protection (the "DEP"), and to address any and all issues regarding title to said premises. Any monies remaining following the completion of such required remediation to the satisfaction of the DEP, and mitigation to the satisfaction of this agency, shall be remanded to the supposed owners of record. Such required remediation shall expressly include the removal, by said owners or their duly qualified agents, contractors or assigns, of all surficial debris remaining on the premises taken hereby, as identified by the licensed site professional performing as subcontractors for the Commission, CDW Consultants, Inc., on or before six (6) months from the date of the recording of this order. Said environmental remediation may be completed by said owners, but subject to the terms and conditions of an agreement or agreements for same to be signed by and between this agency and the owners of record and/or their duly authorized representatives.

The owners of said premises, their heirs and assigns, are obligated in consideration of the terms and provisions of this transaction, to fund from the $ 5,800,000.00 portion of the pro tanto to be forwarded to same, the costs of: i) the survey of the 14.2-acre excluded parcel; ii) the installation, maintenance, repair and replacement of chain-link fencing around the perimeter of the 14.2-acre excluded parcel throughout the period of landfill capping, closure and monitoring; and iii) the full perimeter survey of the premises so taken hereby.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
George Kristoff, Jr., Gerald Kristoff, William W. Cotting, Trustee of Sterling Downs Trust, Paul M. Sushchyk, Trustee of John D. Kristoff Trust/1988, and/or Paul M. Sushchyk, Trustee of John D. Kristoff Trust	$ 6,500,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $6,500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: to withhold $700,000.00 from that amount until environmental remediation on said land is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection.

Adjourned at 10:40 a.m., to meet on Thursday, August 13, 1998, at 9:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Eight Hundred and Sixtieth (3860th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 13, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on July 30, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P98-1928-C2A, with M.R.P. Site Development, Inc.,for Building Demolition and Site Improvements, Ocean Avenue, Revere.

2. Contract No. PL97-044-C1A, dated August 13, 1998, with Wes Construction Corp., for Pope John Paul II - Park Development - Phase 1 - Neponset River Reservation, Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Machado, July 31, requesting approval of an extension of time from July 25, 1998 to August 25, 1998, on Contract No. P96-1862-C1A, with South Shore Fence, Co., Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System, due to delays caused by material delivery problem.
The Commission V O T E D: to approve an extension of time from July 25, 1998 to August 25, 1998, as requested by Messrs. Faucher and Machado in their report of July 31, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher, Brooks and Haider, July 20, recommending approval of Extra Work Orders on Contract No. P97-1916-M1A, with P. J. Kennedy and Sons, Inc., for Servicing of HVAC Systems at various MDC Facilities within the Metro Parks System, as follows -

Extra Work Order No. 3 Gregory House, Canton - New Warm Air Heating Furnace	**$ 6,200.00**
Extra Work Order No. 4 Connell, Weymouth - New Heating Boiler/ Unit Heaters	**$ 55,860.00**
Extra Work Order No. 5 Waltham Lab - New Heating Boiler/Hot Water/Misc.	**$ 14,830.00**
Extra Work Order No. 6 Almy's Building, Brighton - Gas Conversion Burner/Make Up Air	**$ 23,000.00**
Extra Work Order No. 7 Fort Revere, Hull - New Steam Boiler/ Tankless Heaters	**$ 10,275.00**

Extra Work Order No. 8 **$ 10,275.00**
Fort Revere, Hull - New Oil Tanks
for Sides 1 and 2
Extra Work Order No. 9 **$ 8,160.00**
Gas Piping/Testing - Shea Rink, Quincy

$128,600.00

Funding:
Account No. 2440-8952 - Extra Work Order Nos. 3, 4, 7, 8 and 9.
Account No. 2490-0009 - Extra Work Order No. 5.
Account No. 2449-0003 - Extra Work Order No. 6.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $6,200.00.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $55,860.00.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $14,830.00.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $23,000.00.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $10,275.00.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $10,275.00.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $8,160.00.

1. Report of Messrs. Faucher and Lenhardt, August 4, recommending approval of Amendment No. 1, for an extension of time from August 31, 1998 to August 31, 2001, on Contract No. P92-1660-D1A, with Goodkind & O'Dea, Inc., for Design Services for Substructure Repairs to Neponset River Bridge, Boston and Quincy, due to the need to increase scope of services.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Machado, July 30, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fencing at Various Locations, as follows -
Item No. 036-010 **$ 3,030.00**
New SS Guard Rail and Posts (Curved)
Item No. 037-010 **$ 1,500.00**
Terminal Section
Item No. 053-010 **$ 5,293.75**
Furnish, Install, Repair, or Replace
Galvanized Steel Chain Link Fence -
2 Ft. to 3 Ft. 6 Inches High
Item No. 054-010 **$ 1,560.00**
Furnish, Install, Repair, or Replace
Galvanized Steel Chain Fence -
4 Ft. to 4 Ft. 6 Inches High
Item No. 055-010 **$34,800.00**
Furnish, Install, Repair or Replace
Black Vinyl Clad Chain Link Fence
4 Ft. to 4 Ft. 6 Inches High.
Item No. 057-010 **$ 4,550.00**
Furnish, Install, Repair or Replace
Black Vinyl Fence 5 Ft. High

Item No. 062-010 **$10,120.00**
Furnish, Install, Repair or Replace
Galvanized Steel Chain Link Fence
10 Ft. High

Total - $60,853.75

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010, 002-010, 003-010, 004-010, 005-010, 006-010, 007-010, 008-010, 010-010, 017-010, 018-010, 029-010, 030-010, 031-010, 032-010, 034-010, 040-010, 041-010, 042-010, 043-010, 044-010, 071-010, 072-010 and 077-010).

The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1919-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of $60,853.75, as recommended by Messrs. Faucher and Machado in their report of July 30, 1998.

1. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, August 6, recommending approval of revisions in quantities on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, as follows -

Item No. 002-200 **$ 660.00**
Removal of Metal Nosings at Existing Stairs

Item No. 030-020 **$1,237.50**
Stair Nosings at Existing Concrete Stairs

Total - $1,897.50

(At no increase in Contract cost as the revisions will be offset by unused quantities in item No. 003-080 - Free Draining Fill).

The Commission V O T E D: Approved as recommended by Mrs. O'Brien and Messrs. Faucher and Griffin, in their report of August 6, 1998.

2. Report of Messrs. Faucher and Brooks, August 6, on bids for Maintenance of Refrigeration Systems Located in Ice Skating Rinks Within the Metro Parks System, Contract No. P98-1957-M1A. (Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of Lewis Refrigeration, of $553,999.00). They further request execution of the Contract by the Commission).

The Commission V O T E D: to accept the lowest bid received, that of Lewis Refrigeration, of $553,999.00.

The Secretary then submitted for signature Contract No. P98-1957-M1A, dated August 13, 1998, with Lewis Refrigeration, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matter:

3. Report of Mrs. O'Brien, August 11, requesting approval of an Amendment for an extension of time from August 31, 1998 to December 31, 1999, on Contract No. PL95-037-D1A, with Childs Engineering Corporation, for Lovejoy Wharf Design, due to the need to complete design and construction.

Mrs. O'Brien further requests authorization for Commissioner

Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Adjourned at 9:55 a.m., to meet on Thursday, August 20, 1998, at 9:00 a.m.

William J. Rinaldi
Secretary

0 1998

Record of the Three Thousand Eight Hundred and Sixty First (3861st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 20, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, and Elkort.

The Records of the Commission Meeting held on August 6, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

1. Amendment, dated August 20, 1998, to Contract-Agreement No. WM94-003-D1A, with A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, Framingham.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Sacco, July 31, recommending approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 055-010 - Concrete Restoration and Repair - at a cost of $33,736.00, on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive, Lynn.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 022-111, 023-010, 023-020, 024-030, 026-010, 033-010, 033-011, 033-012, 033-030, 037-040, 038-010 and 050-030).
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in a revision in quantities, on Contract No. P85-1341-C1A.
The Commission further V O T E D: to approve the revision in quantities, in the amount of $33,736.00, as recommended by Messrs Faucher and Sacco in their report of July 31, 1998.

3. Report of Messrs. Faucher and McCalla, July 20, recommending approval of a revision in quantities on Item No 20 - Miscellaneous Materials Components and Part - at a cost of $369.15, on Contract No. P97-1902-C1A, with Coviello Electric & General Contracting Company, Inc., for Electrical and Electronic Systems Improvement at Various Rinks.
(At no increase in Contract cost as the revision will be offset by unused quantities in item No 21).
The Commission V O T E D: Approved.

4. Report of Mr. Faucher and Mrs. Graves-Jones, August 11, recommending approval of the request of Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of Carr-Dee Corp., as sub-contractor - for a portion of Item No. 816-010 - boring samples - at a cost of $1,200.00, on Contract No. P98-1958-C1A, for Reconstruction of Traffic Signal System: VFW Parkway at Corey Street, West Roxbury.

(At no additional Contract cost).
The Commission V O T E D: to approve the request of Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of Carr-Dee Corp., as sub-contractor - for a portion of Item No. 816-010 - boring samples - at a cost of $1,200.00, on Contract No. P98-1958-C1A.

1. Report of Messrs. Faucher and Mayhew, August 4, recommending the following on Contract No. P97-1874-C1A, with G.V.W., Inc., for Improvements to the William A. Connell Rink and Pool, Weymouth -
(a) That work be accepted as completed as of November 15, 1997.
(b) That Estimate No. 6 (Final), in the amount of $63,940.49, be approved for payment)
(c) That reserve, in the amount of $26,283.79, be approved for payment.
(Basis of Award - $458,370.00)
(Amount to Date - $525,675.78)
(Contract Performance Rating - 77 with 100 being excellent)
(EEO Compliance - 2.00)
Associate Commissioner Carr noted that there was inconsistency in the contractors evaluation forms relative to the statement on quality of work and the numerical rating given for the same category.
He stated that there should be consistency in both rating forms and asked that Mr. Brooks insure that a more consistent rating of a contractor's work be given in the future.
The Commission V O T E D: that the work of G.V.W., Inc., Contractor under Contract No. P97-1874-C1A, be and hereby is accepted as completed as of November 15, 1997.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $63,940.49, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $26,283.79, for payment.

2. Report of Messrs. Faucher, Brooks and Galvin, August 13, recommending approval of the action of Acting Director Faucher resulting in a revision in quantity on Item No. 023-010 - provide maintenance services - $36,725.72, on Contract No. P96-1859-M1A, with Lewis Refrigeration Company, Inc., for Maintenance of Refrigeration Systems located in Ice Skating Rinks within the Metropolitan Parks System - FY98.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 006-010, 007-010, 011-010 (Rodout Condensers), 006-020, 007-020, 011-020 (Replace Filters and Dryers), 007-030, 011-030 (Clean Towers), 009-040, 018-040, 020-040 (Rodout Coolers), 024-010 (Treatment) and 025-010 (Material & Parts). The amount of the unused items is $24,562.84 - The balance of the cost $8,174.95, has been deducted from retainage withheld for FY98.
Messrs. Faucher, Brooks and Galvin further recommend an increase in quantities FY99 for Item Nos. 021-010 (General Conditions), 023-010 (Maintenance), and 025-010 (Material and Parts) in the amount of $9,412.25. In addition to $8,174.95 (balance of retainage due for FY98) is to be added into the Contract These

increases amount to a total of $17,587.20 - which is available in Account No. 2440-0010).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantity on Contract No. P96-1859-M1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $36,725.72.
The Commission further V O T E D: to approve an increase in quantities FY99 for Item Nos. 021-010 (General Conditions), 023-010 (Maintenance), and 025-010 (Material and Parts) in the amount of $9,412.25, In addition the $8,174.95 (balance of retainage due for FY98) is to be added into the Contract. These increases amount to a total of $17,587.20 - which is available in Account No. 2440-0010.

1. Report of Mr. Faucher and Ms. Pfetsch, August 7, recommending the following on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation, Milton -
(a) That work be accepted as completed as of August 30, 1997.
(b) That Estimate No. 5 (Final), in the amount of $7,796.82, be approved for payment.
(c) That reserve, in the amount of $13,519.90, be approved for payment.
(d) That Alteration No. 4, a credit of $97.00, be accepted by the Commission for handicap signage which will be installed at a later date.
(Basis of Award - $248,150.00)
(Amount to Date - $270,397.96)
(Contract Performance Rating - 85 with 100 being excellent)
(EEO Compliance - 4.67)
The Commission V O T E D: that the work of D. Clancy & Sons, Inc., Contractor under Contract No. P94-1749-C1A, be and hereby is accepted as completed as of August 30, 1997.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $7,796.82, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $13,519.90, for payment.
The Commission further V O T E D: to approve Alteration No. 4, a credit to the Commission, in the amount of $97.00, for handicap signage which will be installed at a later date, as recommended by Mr Faucher and Ms. Pfetsch in their report of August 7, 1998.

2. Report of Messrs. Faucher and McCalla, August 14, recommending the following on Contract No P96-1849-M1A, with F. M. Emergency Generators, Inc., for Maintenance of Prime Power Emergency Generators at Various Locations -
(a) That work be accepted as completed as of July 12, 1998.
(b) That Estimate No. 22 (Final), in the amount of $1,045.27, be approved for payment.
(c) That reserve, in the amount of $2,362.48, be approved for payment.
(Basis of Award - $73,800.00)
(Amount to Date - $66,988.00)
(Contract Performance Rating - 3.80)
(EEO Compliance - 4.20)
The Commission V O T E D: that the work of F. M. Emergency Generators, Inc., Contractor under Contract No P96-1849-M1A, be

and hereby is accepted as completed as of July 12, 1998.
The Commission further V O T E D: to approve Estimate No. 22 (Final), in the amount of $1,045.27, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,362.48, for payment.

1. Report of Messrs. Faucher and Brooks, August 7, recommending the following on Contract No. P97-1906-C1A, with Multitemp Mechanical Corp., for Replacement of Dehumidifiers at Reilly, Shea, Bryan and Murphy Rinks -
(a) That work be accepted as completed as of April 20, 1998.
(b) That Estimate No. 3 (Final), in the amount of $42,084.19, be approved for payment.
(c) That reserve, in the amount of $16,273.56, be approved for payment.
(Basis of Award - $318,896.00)
(Amount to Date - $325,471.13)
(Contract Performance Rating - 80 with 100 being excellent)
(EEO Compliance - 1.40)
The Commission V O T E D: that the work of Multitemp Mechanical Corp., Contractor under Contract No. P97-1906-C1A, be and hereby is accepted as completed as of April 20, 1998.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $42,084.19, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $16,273.56, for payment.

2. Report of Messrs. Faucher, Haider and Parks, May 28, recommending the following on Contract No. P98-1941-C1A, with Gibson's Roofs, Inc., for Roof Replacement at the Stoneham Central Services Garage, Stoneham -
(a) That work be accepted as completed as of May 4, 1998.
(b) That Estimate No. 2 (Final), in the amount of $8,550.00, be approved for payment.
(c) That reserve, in the amount of $4,550.00, be approved for payment.
(Basis of Award - $91,000.00)
(Amount to Date - $91,000.00)
(Contract Performance Rating - 82 with 100 being excellent)
(EEO Compliance - 3.83)
The Commission V O T E D: that the work of Gibson's Roofs, Inc., Contractor under Contract No. P98-1941-C1A, be and hereby is accepted as completed as of May 4, 1998. The
Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $8,550.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,550.00, for payment.

3. Report of Messrs. Faucher and Machado, August 12, recommending the following on Contract No. P96-1864-C1A, with D & R General Contracting/MDR Construction Co., Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District -

(a) That work be accepted as completed as of June 15, 1998.
(b) That Estimate No. 11 (Final), in the amount of $21,910.00, be approved for payment.
(c) That reserve, in the amount of $29,555.39, be approved for payment.
(Basis of Award - $742,776.10)
(Amount to Date - $933,587.09)
(Contract Performance Rating - 4.30)
(EEO Compliance - 4.00)

The Commission V O T E D: that the work of D & R General Contracting/MDR Construction Co., Inc., Contractor under Contract No. P96-1864-C1A, be and hereby is accepted as completed as of June 15, 1998.
The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount of $21,910.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $29,555.39, for payment.

1. Report of Messrs. Faucher McCalla, Hamel and McGonagle, August 14, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Item No. 3 - Hourly Rate for Helper - $10,563.00 and Item No. 6 - Materials, Components and Parts - $25,489.66 - at a total cost of $36,052.66, on Contract No. P96-1861-M1A, with Coviello Electrical Contracting Company, Inc., for Electrical and Electronic Sound Systems Maintenance at MDC Sports Facilities, Recreational Areas and Buildings.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 2 - Hourly Rate for Licensed Electricians - Electronic Repair Service and Item No 4 - Hourly Rate for Vehicles).
In addition, Messrs. Faucher, McCalla, Hamel and McGonagle recommend approval of the action of Acting Director Faucher resulting in the following revisions in quantities which will be funded from Account No. 2440-9800 - Item No. 1 - Hourly Rate for Licensed Electrician - $20,250,00, Item No. 2 - Hourly Rate for Licensed Electrician & Electronics - $1,417.50, Item No. 3 - Hourly Rate for Helper - $1,459.50, Item No. 6 - Materials, Components and Parts - $33,446.29, Item No. 7 - Trench Excavation Backfill, for Electrical Conduit - $315.00 and Item No. 8 - Lawn Seeding - $58.00 - at a total cost of $56,946.29.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Item Nos. 3 and 6, on Contract No. P96-1861-M1A.
The Commission further V O T E D: to approve the revisions in quantities on Item Nos. 3 and 6, at a total cost of $36,052.66.
The Commission further V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities, which will be funded from Account No. 2440-9800, on Item Nos. 1, 2, 3, 6, 7 and 8, on Contract No. P96-1861-M1A.
The Commission further V O T E D: to approve the revisions in quantities on Item Nos. 1, 2, 3, 6, 7 and 8, at a total cost of $56,946.29.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, August 3, recommending the following on Contract No. WM93-060-D2A, with GZA GeoEnvironmental, Inc., for Final Design for Construction of Essential Repairs and an Emergency Action Plan, Sudbury Reservoir Dam, Southborough -
(a) That work be accepted as completed as of March 31, 1998.
(b) That Estimate No. 26 (Final), in the amount of $18,574.34, be approved for payment.
(c) That reserve, in the amount of $21,076.07, be approved for payment.
(Basis of Award - $407,833.00)
(Amount to Date - $477,820.01)
(Contract Performance Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of GZA GeoEnvironmental, Inc. Consultant under Contract No. WM93-060-D2A, be and hereby is accepted as completed as of March 31, 1998.
The Commission further V O T E D: to approve Estimate No. 26 (Final), in the amount of $18,574.34, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $21,076.07, for payment.

2. Report of Mr. McGinn, August 5, recommending the following on Contract No. WM95-059-S1A, with Brackett & Lucas, Attorneys at Law, for Model On-Site Waste Management District -
(a) That work be accepted as completed as of December 30, 1997.
(b) That Invoice No. 4 (Final), in the amount of $2,466.10, be approved for payment.
(Basis of Award - $20,810.00)
(Amount to Date - $ 7,341.08)
(Contract Performance Rating - 8.50 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Brackett & Lucas, Attorneys at Law, Contractor under Contract No. WM95-059-S1A, be and hereby is accepted as completed as of December 30, 1997.
The Commission further V O T E D: to approve Invoice No. 4 (Final), in the amount of $2,466.10, for payment.

3. Report of Messrs. McGinn and Kane, July 31, recommending the following on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir in Southborough -
(a) That work be accepted as completed as of December 31, 1997.
(b) That Estimate No. 13 (Final), in the amount of $5,796.83, be approved for payment.
(c) That reserve, in the amount of $58,744.56, be approved for payment.
(Basis of Award - $1,067,250.00)
(Amount to Date - $1,174,891.43)
(Contract Performance Rating - 4.50)
(EEO Compliance - 4.50)
The Commission V O T E D: that the work of WES Construction

Corp., Contractor under Contract No. WM93-060-C1A, be and hereby is accepted as completed as of December 31, 1997.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $5,796.83, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $58,744.56, for payment.

1. Report of Mr. McGinn and Ms. Carr, August 3, recommending the following on Contract No. WM96-079-X1A, with Nashua River Watershed Association, for Wachusett Watershed Technical Assistance -
(a) That work be accepted as completed as of June 30, 1998.
(b) That Invoice No 007, in the amount of $3,614.29, be approved for payment.
(Basis of Award - $25,000.00)
(Amount to Date - $25,000.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Nashua River Watershed Association, Contractor under Contract No. WM96-079-X1A, be and hereby is accepted as completed as of March 31, 1997.
The Commission further V O T E D: to approve Invoice No 007, in the amount of $3,614.29, for payment.

Action was taken upon the following Various Matter:

2. Report of Messrs. Jewett, Brown and Faucher, August 10, requesting approval and authorization for Commissioner Balfour, to execute on behalf of the Commission, a Settlement Agreement between Multitemp Mechanical Corporation (MMC) and the MDC which allows clarification of the amount of money due MMC under terms of Contract No. P97-1906-C1A.
In addition, the Settlement Agreement provides for a $2,500.00 sanction against MMC for failure to comply with WBE requirements of the Contract.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour, to execute on behalf of the Commission, a Settlement Agreement between Multitemp Mechanical Corporation (MMC) and the MDC which allows clarification of the amount of money due MMC under terms of Contract No. P97-1906-C1A.

Adjourned at 9:45 a.m., to meet on Thursday, August 27, 1998, at 9:00 a.m.

William P. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Sixty Second (3862nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 27, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on August 13, 1998 were read and approved.

The Secretary submitted for signature the following:

1. Amendment, signed by Sasaki Associates, Inc., to Contract-Agreement No. P95-1804-S1A, for Dorchester Shores Beach Restoration Program, did not arrive in time for the Commission meeting and noting the urgency in execution by the Commission, the Commission authorized Commissioner Balfour to execute the document on its behalf.

2. Amendment, signed by Goodkind & O'Dea, Inc., to Contract-Agreement No. P92-1660-D1A, for Design Services for Substructure Repairs to Neponset River Bridge, Boston and Quincy, did not arrive in time for the Commission meeting and noting the urgency in execution by the Commission, the Commission authorized Commissioner Balfour to execute the document on its behalf.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and McCalla, August 17, recommending the following on Contract No. P97-1902-C1A, with Coviello Electric & General Contracting Co., Inc., for Electrical & Electronic System Improvements at Various Rinks -
(a) That work be accepted as completed as of May 22, 1998.
(b) That Estimate No. 4 (Final), in the amount of $49,666.81, be approved for payment.
(c) That reserve, in the amount of $18,407.22, be approved for payment.
(Basis of Award - $371,000.00)
(Amount to Date - $368,144.48)
(Contract Performance Rating - 4.00)
(EEO Compliance - 3.00)
The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P97-1902-C1A, be and here is accepted as completed as of May 22, 1998.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $49,666.81, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,407.22, for payment.

3. Report of Messrs. Faucher and Abounaja, August 18, recommending the following on Contract No. P95-1789-C2A, with Triumvirate Environmental, Inc., for Contaminated Site Clean-up at Indian Line Farm in Canton -

(a) That work be accepted as completed as of March 31, 1998.
(b) That Estimate No. 4 (Final), in the amount of $10,793.62, be approved for payment.
(c) That reserve, in the amount of $14,929.45, be approved for payment.
(Basis of Award - $312,502.50)
(Amount to Date - $298,588.90)
(Contract Performance Rating - 2.42)
(EEO Compliance - 4.00)

The Commission V O T E D: that the work of Triumvirate Environmental, Inc., Contractor under Contract No. P95-1789-C2A, be and hereby is accepted as completed as of March 31, 1998.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $10,793.62, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $14,929.45, for payment.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Thurlow, July 15, recommending the following on Contract No. P89-1561-C8A, with Northern Tree Service, for Cherry Tree Planting - Various Locations -
(a) That work be accepted as completed as of June 30, 1998.
(b) That Estimate No. 1 (Final), in the amount of $5,571.75, be approved for payment.
(c) That reserve, in the amount of $293.25, be approved for payment.
(Basis of Award - $10,350.00)
(Amount to Date - $ 5,865.00)
(Contract Performance Rating - 4.00)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Northern Tree Service, Contractor under Contract No. P89-1561-C8A, be and hereby is accepted as completed as of June 30, 1998.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $5,571.75, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $293.25, for payment.

2. Report of Messrs. Faucher and Mayhew, August 6, recommending the following on Contract No. P97-1892-C1A, with Great Northern Site Corp., for Demolition of the Phelan Pool, Remove Existing Aluminum Pool and Sidewalks, Install Gravel Fill, Loam and Seed -
(a) That work be accepted as completed as of November 29, 1997.
(b) That Estimate No. 2 (Final), in the amount of $6,080.00, be approved for payment.
(c) That reserve, in the amount of $1,600.00, be approved for payment.
(Basis of Award - $32,000.00)
(Amount to Date - $32,000.00)
(Contract Performance Rating - 75 with 100 excellent)
(EEO Compliance - 1.86)

The Commission V O T E D: that the work of Great Northern Site Corp., Contractor under Contract No. P97-1892-C1A, be and hereby

is accepted as completed as of November 29, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $6,080.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,600.00, for payment.

1. Report of Messrs. Faucher and Machado, August 20, recommending approval of the action of Acting Director Faucher resulting in the following revisions in quantities on Contract No. P96-1862-C1A, with South Shore Fence Co., Inc., for Installation of Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System -

Item No. 009-010	**$ 5,302.36**
Installation of Single Leaf Closure Gates	
Item No. 046-020	**$ 5,673.00**
Treated Two Rail Wood Guard Rail on Existing Concrete Posts	
Total -	**$10,975.36**

Account No. 2440-8952.
Messrs. Faucher and Machado further recommend approval of an extension of time from August 25, 1998 to September 11, 1998.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities in Item Nos. 009-010 and 046-020, on Contract No. P96-1862-C1A.
The Commission further V O T E D: to approve the revisions in quantities in the amount of $10,975.36.
The Commission further V O T E D: to approve an extension of time from August 25, 1998 to September 11, 1998, as recommended by Messrs. Faucher and Machado, in their report of August 20, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Thurlow, June 15, recommending the following on Contract No. P92-1628-C6A, with Northern Tree Service, Inc., for 1997 Parkway Landscape Improvements -
(a) That work be accepted as completed as of June 15, 1998.
(b) That Estimate No. 3 (Final), in the amount of $51,437.65, be approved for payment.
(c) That reserve, in the amount of $15,475.60, be approved for payment.
(Basis of Award - $268,070.00)
(Amount to Date - $309,511.90)
(Contract Performance Rating - 4.00)
(EEO Compliance - 2.83)
The Commission V O T E D: that the work of Northern Tree Service, Inc., Contractor under Contract No. P92-1628-C6A, be and hereby is accepted as completed as of June 15, 1998.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $51,437.65, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $15,475.60, for payment.

3. Report of Messrs. Faucher and Haider, July 31, recommending the following on Contract No. P97-1911-M1A with S.H.F. Associates, Inc., for Service to Hydraulic Power Systems at Various Flood Control/Navigational Sites -

(a) That work be accepted as completed as of June 30, 1998.
(b) That Estimate No. 5 (Final), in the amount of $0.00, be approved for payment.
(c) That reserve, in the amount of $1,365.79, be approved for payment.
(Basis of Award - $48,140.00)
(Amount to Date - $27,315.82)
(Contract Performance Rating - 1.83)
(EEO Compliance - 1.50)

The Commission V O T E D: that the work of S.H.F. Associates, Inc., Contractor under Contract No. P97-1911-M1A, be and hereby is accepted as completed as of June 30, 1998.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $0.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,365.79, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, July 30, requesting approval and execution of Amendment No. 4, to Contract No. WM94-003-D1A, with A. G. Lichtenstein & Associates, for Remedial Design for Public Safety Considerations, Beaman Street Bridge, which calls for an extension of time from September 30, 1998 to December 31, 1999, to allow for additional design and construction services. (At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted Amendment No. 4, dated August 27, 1998, to Contract No. WM94-003-D1A, with A. G. Lichtenstein & Associates, for Remedial Design for Public Safety Considerations, Beaman Street Bridge.

2. Report of Mr. McGinn, August 5, recommending the following on Contract No. WM95-086-S1A, with Burns & Levinson, LLP, for Mediation Services - Sewer Agreement: Holden, Rutland and West Boylston -
(a) That work be accepted as completed as of December 30, 1997.
(b) That Invoice No. 16 (Final), in the amount of $8,208.45, be approved for payment.
(Basis of Award - $49,660.00)
(Amount to Date - $71,836.75)
(Contract Performance Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Burns & Levinson, LLP, Contractor under Contract No. WM95-086-S1A, be and hereby is accepted as completed as of December 30, 1997.
The Commission further V O T E D: to approve Invoice No. 16 (Final), in the amount of $8,208.45, for payment.

3. Report of Mr. McGinn, August 4, requesting approval and authorization to retain the services of Brackett & Lucas, PC, to provide legal technical assistance services for the Wachusett

Reservoir Watershed On-Site Wastewater Management District Component.
Estimated Cost - not-to-exceed $10,000.00.
Time for Performance - FY99.
Account No. 2420-1400.
The Commission V O T E D: Approval and authorization to retain the services of Brackett & Lucas, PC, to provide legal technical assistance services for the Wachusett Reservoir Watershed On-Site Wastewater Management District Component.

1. Report of Mr. McGinn, August 19, recommending the following on Contract No. WM97-028-S1A, with the University of Massachusetts/Amherst Division of Civil and Environmental Engineering for Methods to Differentiate Microorganisms in MDC Reservoirs -
(a) That work be accepted as completed as of February 28, 1998.
(b) That Invoice No. 18 (Final), in the amount of $367.09, be approved for payment.
(Basis of Award - $90,036.00)
(Amount to Date - $80,514.30)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the University of Massachusetts/Amherst Division of Civil and Environmental Engineering, Contractor under Contract No. WM97-028-S1A, be and hereby is accepted as completed as of February 28, 1998.
The Commission further V O T E D: to approve Invoice No. 18 (Final), in the amount of $367.09, for payment.

2. Report of Messrs. McGinn and Kane, August 17, requesting approval to employ the services of United Electric Company, Inc., to perform Contract No. WM99-001-R1A, for Code Compliance, Electrical Modifications at Quabbin Administration Building.
Cost not-to-exceed - $9,200.00.
Time for Performance - thirty days from notice to proceed.
The Commission V O T E D: Approved as requested by Messrs. McGinn and Kane in their report of August 17, 1998.

3. Report of Mr. McGinn, August 4, requesting approval and authorization to advertise for bids for the construction phase of the Pilot On-Site Remediation Program, Project No. WM95-060-S1A.
Estimated Cost - $279,000.00.
Time for Performance - 15 months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for bids for the construction phase of the Pilot On-Site Remediation Program, Project No. WM95-060-S1A.

4. Report of Mr. McGinn, August 4, requesting approval and authorization to retain the services of Burns & Levinson, LLP, for the purposes of Sewer Agreement Mediation/Negotiation, Project No. WM99-076-S1A.

Estimated Cost - $30,000.00.
Time for Performance - June 30, 1999.
Account No. 2420-1400.
The Commission V O T E D: Approved as requested by Mr. McGinn in his report of August 4, 1998.

1. Report of Mr. McGinn, August 24, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement for Care and Protection of Land and Water Resources in the MDC Watershed System Between the Metropolitan District Commission and Department of Environmental Management.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement for Care and Protection of Land and Water Resources in the MDC Watershed System Between the Metropolitan District Commission and Department of Environmental Management.

2. Report of Messrs. McGinn and Vignaly, August 10, recommending the following on Contract No. WM95-056-S1A, with ENSR (FXA Fugro East, Inc.), for Bioengineered Erosion Control Study -
(a) That work be accepted as completed as of June 30, 1998.
(b) That Invoice No. 01-169909, in the amount of $13,900.00, be approved for payment.
(Basis of Award - $15,000.00)
(Amount to Date - $13,900.00)
(Consultant Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of ENSR (FXA Fugro East, Inc.), Contractor under Contract No. WM95-056-S1A, be and hereby is accepted as completed as of June 30, 1998.
The Commission further V O T E D: to approve Invoice No. 01-169909, in the amount of $13,900.00, for payment.

3. Report of Mr. McGinn, August 12, recommending the following on Contract No. WM97-019-M1A, with Fred J. Fijal & Sons - Rubbish Removal, for Non-Hazardous Waste Removal Services -
(a) That Work be accepted as completed as of June 30, 1998.
(b) That Invoice No. 24 (Final), in the amount of $309.98, be approved for payment.
(Basis of Award - $7,439.52)
(Total to Date - $7,439.52)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Fred J. Fijal & Sons, Contractor under Contract No. WM97-019-M1A, be and hereby is accepted as completed as of June 30, 1998.
The Commission further V O T E D: to approve Invoice No. 24 (Final), in the amount of $309.98, for payment.

4. Report of Mr. McGinn, August 19, recommending the following on Contract No. WM96-017-S1A, with the University of Massachusetts Amherst, Division of Civil and Environmental Engineering, for

Contaminant Transport Modeling an Impact of Watershed Management at Quabbin -

(a) That work be accepted as completed as of January 31, 1998.

(b) That Invoice No. 26 (Final), in the amount of $142.91, be approved for payment.

(Basis of Award - $178,261.00)
(Total to Date - $184,039.91)

(Contract Performance Rating - 9.00 with 10.00 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of the University of Massachusetts Amherst, Division of Civil and Environmental Engineering, be and hereby is accepted as completed as of January 31, 1998.

The Commission further V O T E D: to approve Invoice No. 26 (Final), in the amount of $142.91, for payment.

1. Report of Messrs. McGinn and Vignaly, July 6, recommending the following on Contract No. WM95-055-S1A, with Comprehensive Environmental, Inc., for Agricultural Best Management Practices Evaluation -

(a) That work be accepted as completed as of September 30, 1997.

(b) That Invoice No. 9 (Final), in the amount of $4,316.27, be approved for payment.

(Basis of Award - $44,584.00)
(Total to Date - $43,162.61)

(Contract Performance Rating - 8.00 with 10.00 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Comprehensive Environmental, Inc., Contractor under Contract No. WM95-055-S1A, be and hereby is accepted as completed as of September 30, 1997.

The Commission further V O T E D: to approve Invoice No. 9 (Final), in the amount of $4,316.27, for payment.

2. Report of Messrs. McGinn and Vignaly, August 4, recommending the following on Contract No. WM95-051-S1A, with ENSR (FKA Fugro East, Inc.), for Gates Brook Treatment Feasibility Study -

(a) That work be accepted as completed as of June 15, 1998.

(b) That Invoice No. 12 (Final), in the amount of $9,271.26, be approved for payment.

(Basis of Award - $140,000.00)
(Total to Date - $ 95,710.65)

(Contract Performance Rating - 9.00 with 10.00 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of ENSR (FKA Fugro East, Inc.), be and hereby is accepted as completed as of June 15, 1998.

The Commission further V O T E D: to approve Invoice No. 12 (Final), in the amount of $9,271.26, for payment.

3. Report of Mr. McGinn, August 18, recommending the following on

Contract No. WM95-088-S1A, with Pickett & Miyares, Attorneys-at-Law, for Rules and Regulations Governing the Subdivision of Land - Town of West Boylston -

(a) That work be accepted as completed as of September 30, 1997.

(b) That Invoice No. 9 (Final), in the amount of $3,998.03, be approved for payment.

(Basis of Award - $40,000.00)
(Total to Date - $39,980.27)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Pickett & Miyares, Attorneys-at-Law, be and hereby is accepted as completed as of September 30, 1997.

The Commission further V O T E D: to approve Invoice No. 9 (Final), in the amount of $3,998.03, for payment.

Adjourned at 9:50 a.m., to meet on Thursday, September 3, 1998, at 9:00 a.m.

William F. Cushman
Secretary

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3, 1998

Record of the Three Thousand Eight Hundred and Sixty Third (3863rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 3, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on August 20, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Ms. Pomorska, August 27, recommending approval of an extension of time from August 31, 1998 to October 31, 1998, on Contract No. P98-1929-C1A, with Coviello Electric and General Contracting Co., Inc., for Installation of Traffic Signal Systems, Day Boulevard at O & P Street, South Boston, due to a request from the City for additional traffic signal work.
The Commission V O T E D: to approve an extension of time from August 31, 1998 to October 31, 1998, as recommended by Mr. Faucher and Ms. Pomorska in their report of August 27, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Mr. Faucher and Mrs. Graves-Jones, August 27, recommending approval of the request of Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of Horticultural Technologies Incorporated, as sub-contractor for Item No. 102.500 - Road Side Tree Protection - at a cost of $1,000.00, on Contract No. P98-1958-C1A, for Reconstruction of Traffic Signal System - VFW Parkway at Corey Street, West Roxbury.
(At no additional Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Soroka, August 26, recommending approval of a revision in quantities on Item No. 006-020 - Vehicle Signal Head Single Section 12" Lens - $7,200.00, on Contract No. P98-1927-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal Systems and Control Systems - Charles River Basin Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 013-010 - Storage Room and Engineer's Office).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Machado, August 28, recommending approval of the request of D & R General Contracting, Inc., General Contractor, on Contract No P96-1863-C1A, to engage the services of the following sub-contractors, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District -

Bell Traffic Signal

Item No. 020-010 Traffic Signals Detector Loops	$ 3,600.00

Bardon Trimount, Inc.

Item No. 002-010 0" - 04" Cold Panning	$240,300.00

Hi-Way Safety System, Inc.

Item No. 016-010 4" Reflectorized Thermoplastic Pavement Markings	$ 62,700.00
Item No. 017-010 8" Reflectorized Thermoplastic Pavement Markings	$ 1,575.00
Item No. 018-010 12" Reflectorized Thermoplastic Pavement Markings	$ 16,200.00
Item No. 019-010 Reflectorized Thermoplastic Pavement Symbols and Legends	$ 5,250.00
Item No. 022-010 Temporary 4" Painted Pavement Markings	$ 1,540.00
Item No. 041-010 Pavement Markings Removal (Paint)	$ 600.00
Item No. 042-010 Thermoplastic Pavement Markings Removal	$ 500.00
Total -	$ 87,865.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Machado, August 28, recommending approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 063-010 - Vinyl Clad Chain Link Fence 10 Feet High - $14,430.00, on Contract No. P97-1919-C1A, with DeLuca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations.
(At no increase in Contract cost - as the revision will be offset by unused quantities in Item No. 088-010 - Traffic Control Services).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantities on Item No. 063-010 on Contract No. P97-1919-C1A.
The Commission further V O T E D: to approve the revision in quantity on Item No. 063-010, in the amount of $14,430.00.

2. Report of Messrs. Faucher and Higgott, August 31, recommending approval of an extension of time from September 2, 1998 to November 2, 1998, on Contract No. P98-1940-C1A, with Tasco Construction, Inc., for Removal/Replacement of Culvert Gates & Sluice Gates at Charles River Locks and Dam.
(The extension of time is for administrative purposes only, under provisions of Article XXII and shall in no way affect the liquidated damages provisions of Article XXI that may be due the Commission. This extension of time shall not operate as a waiver on the part of the Commission or in any of its rights under this Contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from September 2, 1998 to November 2, 1998, as recommended

by Messrs. Faucher and Higgott, in their report of August 31, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provisions of Article XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

1. Report of Messrs. Faucher and Sacco, August 31, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for bids, Project No. P99-1975-C1A, for Upper Mystic Lake Aqueduct Activation, Medford.
Estimated Cost - $25,000.00.
Time for Performance - one month.
Account No. 2440-7957.
The Commission V O T E D: Approved
The Commission further V O T E D: authorization to advertise for bids, Project No. P99-1975-C1A, for Upper Mystic Lake Aqueduct Activation, Medford.

2. Report of Messrs. Faucher, Brooks and Mayhew, July 23, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for bids, Project No. P98-1953-C1A, for Demolition of the Magazine Beach Sanitary, Cambridge.
Estimated Cost - $45,000.00.
Time for Performance - forty five days after notice to proceed.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for bids, Project No. P98-1953-C1A, for Demolition of the Magazine Beach Sanitary, Cambridge.

3. Report of Messrs. Faucher, Brooks and Martinez, August 31, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for bids, Project No. P99-1972-C1A, for Utilities Connection For The Temporary Outdoor Peter J. Kelly Skating Rink in Jamaica Plain.
Estimated Cost - $395,000.00.
Time for Performance - six weeks.
Account No. 2440-9812.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for bids, Project No. P99-1972-C1A, for Utilities Connection For The Temporary Outdoor Peter J. Kelly Skating Rink in Jamaica Plain.

4. Report of Miss Overton and Messrs. Faucher and Orfant, August 20, requesting authorization to solicit bids for Repairs to the Islands Piers, Contract No. P97-1881-C2A, including a bid alternate to complete the construction of the George's Island Picnic Pavilion, (Contract No. P96-1839-C1A), and to assess liquidated damages, in the sum of $316,000.00, as provided in Article XX of the contract, for the failure to complete the work of Contract No. P96-1839-C1A in a timely manner, against Bull

Contracting, Inc., and its surety, Colonial Surety Company.
Estimated Cost - $375,000.00.
Time for Performance - twelve months.
Account No. 2440-8889.
The Commission V O T E D: authorization to solicit bids for Repairs to the Islands Piers, Contract No. P97-1881-C2A, including a bid alternate to complete the construction of the George's Island Picnic Pavilion, (Contract No. P96-1839-C1A).
The Commission further V O T E D: to assess liquidated damages, in the sum of $316,000.00, as provided in Article XX of the contract, for the failure to complete the work of Contract No. P96-1839-C1A in a timely manner, against Bull Contracting, Inc., and its surety, Colonial Surety Company.

1. Report of Mr. Faucher and Ms. Pomorska, August 14, recommending approval of the request of Coviello Electric and General Contracting Co., Inc., General Contractor on Contract No. P98-1929-C1A, for Installation of Traffic Signal Systems, Day Boulevard at O and P Street, South Boston, to engage the services of Markings, Inc., as sub-contractor for -

Item No. 26	**$1,787.50**
Pavement Marking Removal (Thermoplastic)	
Item No. 27	**$1,080.00**
12" Pavement Markings White (Thermoplastic)	
Item No. 28	**$ 193.50**
8" Pavement Markings (Thermoplastic)	
Item No. 29	**$ 100.00**
4" Pavement Markings (Thermoplastic)	
Item No. 30	**$ 520.00**
Arrows and Legends (Thermoplastic)	
	Total - $3,681.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Balicki, August 31, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1972-X1A/X2A, Ice Rink Equipment - for Temporary Outdoor Peter J. Kelly Ice Rink, Jamaica Plain.
Estimated Cost - $417,800.00 (Lease/Purchase - Contract X1A) and
$68,500.00 (Lease/Purchase - Contract X2A) -
Total of $486,300.00).
Account No. 2440-9812.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1972-X1A/X2A, Ice Rink Equipment - for Temporary Outdoor Peter J. Kelly Ice Rink, Jamaica Plain.

3. Report of Messrs. Faucher, Brooks and Haider, September 2, on bids for Servicing Underwater Structure Systems at Various Flood Control/Navigational Sites, Contract No. P98-1966-M2A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of Inner Space Services, Inc., of $87,750.00).
They further request authorization for Commissioner Balfour to

execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Inner Space Services, Inc., of $87,750.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. McGinn, August 27, recommending that the Commission approve the continuation of the hunting program within the Tributary Headwaters Zone of the Wachusett Reservoir Watershed, subject to certain provisions as outlined in the report.
Associate Commissioner Carr inquired as to the Division's ability to control access to MDC watershed lands through the issuance on an MDC Access Permit, and upon further discussion, recommended that the Division use every means at its disposal to ensure that access is strictly controlled for the protection of the watershed and for the protection of public safety on MDC lands through monitoring of the numbers of permits issued and monitoring of the activities permitted on MDC owned watershed lands.
Associate Commissioner Carr's recommendation was offered as an additional part of the motion to approve Continuation of the Hunting Program within the Tributary Headwaters Zone of the Wachusett Reservoir Watershed.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

2. Report of Mr. Jewett, August 28, on behalf of the Consultant Selection Committee, requesting selection of Viewpoint Engineering, Inc., for Contract No. WM97-033-X1A, for Septic System Database Project.
Estimated Cost - $70,000.00 - subject to negotiations.
Estimated Time of Performance - sixteen months.
Account No. 2420-1400.
The Commission V O T E D: to select Viewpoint Engineering, Inc., for Contract No. WM97-033-X1A, for Septic System Database Project, as submitted by Mr. Jewett in his report of August 28, 1998.

Adjourned at 10:10 a.m., to meet on Thursday, September 17, 1998, at 9:00 a.m.

William F. Cushel
Secretary

Record of the Three Thousand Eight Hundred and Sixty Fourth (3864th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 17, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on August 27, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Haider, August 24, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities, on Contract No. P97-1909-M1A, with P. J. Kennedy and Sons, Inc., for Service to HVAC Systems at Various Flood Control and Navigational Sites, as follows -

Item No. 001-010 - Providing Maintenance Service	-	$ 7,139.50
Item No. 002-010 - Materials and Parts	-	$ 3,392.70
Total	-	$10,532.20

Account No. 2440-0010.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities, on Contract No. P97-1909-M1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $10,532.20.

2. Report of Messrs. Faucher and Haider, August 24, recommending approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 001-010 - Diving Services - at a cost of $2,398.00, on Contract No. P97-1910-M1A, with Inner Space Services, for Service to Underwater Structures.
Account No. 2440-0010.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantities on Contract No. P97-1910-M1A.
The Commission further V O T E D: to approve the revision in quantities, in the amount of $2,398.00.

3. Report of Messrs. Faucher and Mayhew, August 27, recommending approval of Extra Work Order No. 5, for additional clearing work along the Charles River Shoreline in order to open up scenic vistas, fishing area and viewing decks, at a cost of $9,064.00, on Contract No. PL92-017-C2A, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration - Phase IB.
Account No. 2490-0017.
The Commission V O T E D: to approve Extra Work Order No. 5, in the amount of $9,064.00.

4. Report of Messrs. Faucher and Mayhew, September 2, recommending approval of an extension of time from August 31, 1998 to September 30, 1998, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase IB, to allow for additional time to complete

extensive plantings and perform seeding operation.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from August 31, 1998 to September 30, 1998, as recommended by Messrs. Faucher and Mayhew in their report of September 2, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Mayhew, September 2, recommending that the Commission amend its vote of March 5, 1998, approving Project No. P98-1950-C1A, for Demolition of Dwelling at Triphammer Woods, Hingham, by increasing the estimated cost from $10,000.00 to $45,000.00, and increasing the time of performance from 10 days to 45 days, due to the discovery of substantial quantities of asbestos and lead paint at the site.
Account No. 2440-8885.
The Commission V O T E D: to amend its vote of March 5, 1998, approving Project No. P98-1950-C1A, for Demolition of Dwelling at Triphammer Woods, Hingham, by increasing the estimated cost from $10,000.00 to $45,000.00, and increasing the time of performance from 10 days to 45 days, as recommended by Messrs. Faucher and Mayhew in their report of September 2, 1998.

2. Report of Messrs. Faucher and Machado, September 1, recommending that work be accepted as completed as of June 30, 1998, on Contract No. P96-1863-C1A, with D & R General Contracting/MDR Construction Co., Inc., for Resurfacing MDC Parkways at Locations Throughout the Metropolitan District -
(Basis of Award - $1,443,755.00)
(Total to Date - $1,915,830.62)
(Contract Performance Rating - 3.30)
(EEO Compliance Rating - 3.17)
The Commission V O T E D: that the work of D & R General Contracting/MDR Construction Co., Inc., Contractor under Contract No. P96-1863-C1A, be and hereby is accepted as completed as of June 30, 1998.

3. Report of Messrs. Faucher and McCalla, August 28, recommending the following on Contract No. P96-1861-M1A, with Coviello Electric and General Contracting Co., Inc., for Electrical and Electronic Sound System Maintenance at MDC Sports Facilities, Recreational Areas and Buildings -
(a) That work be accepted as completed as of July 12, 1998.
(b) That Estimate No. 25 (Final), in the amount of $5,714.25, be approved for payment.
(c) That reserve in the amount of $2,841.94, be approved for payment.
(Basis of Award - $369,000.00)
(Amount to Date - $525,505.45)
(Contract Performance Rating - 4.00)
(EEO Compliance - 3.80)
The Commission V O T E D: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P96-1861-M1A, be and hereby is accepted as completed as of July 12, 1998.

The Commission further V O T E D: to approve Estimate No. 25 (Final), in the amount of $5,714.25, for payment.
The Commission further V O T E D: to approve release of reserve in the amount of $2,841.94, for payment.

Action was taken upon the following Various Matters:

1. Report of the Selection Committee, September 11, recommending that the Commission authorize staff to prepare a Permit for Boston Duck Tours to operate an amphibious tour program on the Charles River for the period November 1, 1998 to November 1, 2003, with an additional five year renewal option.
Permission is requested to authorize the Secretary to execute the Permit on behalf of the Commission.
The Commission V O T E D: Approval of the selection of Boston Duck Tours for the service.
The Commission further V O T E D: to authorize staff to prepare a Permit for Boston Duck Tours to operate an amphibious tour program on the Charles River for the period November 1, 1998 to November 1, 2003, with an additional five year renewal option.
The Commission further V O T E D: to authorize the Secretary to execute the Permit on behalf of the Commission.

2. Report of Miss Overton, September 16, requesting approval to enter into any and all agreements, licenses and permits by and between the Metropolitan District Commission and Greenleaf Composting Company, Inc., which may be required for the purpose of developing and operating a pilot program for organic waste recycling/composting and environmental education to be sited on the unpaved portion of the MDC Morton Street parking lot in the City of Boston.
It is further requested that the Commission authorize the Commissioner to execute all such required agreements, licenses or permits on behalf of the Commission.
Associate Commissioner Wu questioned what provisions will be incorporated within any Agreements with Greenleaf Composting Company, Inc., to ensure proper environmental safeguards at the site.
Mr. Gray responded that negotiations regarding this arrangement are underway and that the Department of Environmental Protection composting regulations, and other provisions, will be incorporated and enforced for this operation.
Associate Commissioner Elkort asked about improper waste being dumped at the site.
Mr. Gray stated that provisions will be made regarding any illegal dumping and that such illegal dumping will constitute a breach and possible revocation of any agreement.
The Commission V O T E D: approval to enter into any and all agreements, licenses and permits by and between the Metropolitan District Commission and Greenleaf Composting Company, Inc., which may be required for the purpose of developing and operating a pilot program for organic waste recycling/composting and environmental education to be sited on the unpaved portion of the MDC Morton Street parking lot in the City of Boston.

The Commission further V O T E D: to authorize Commissioner Balfour to execute all such required agreements, licenses or permits on behalf of the Commission.

Adjourned at 9:40 a.m., to meet on Thursday, September 24, 1998, at 9:00 a.m.

William F. Crush
Secretary

Record of the Three Thousand Eight Hundred and Sixty Fifth (3865th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 1, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 3, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1870-C3A, dated October 1, 1998, with D & R General Contracting/MDR Construction Co., Inc., for Reconstruction of Richard T. Artesani Playground, Brighton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Mrs. Graves-Jones, September 11, recommending authorization for Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of Markings, Inc., as sub-contractor for the following items on Contract No. P98-1958-C1A, for Reconstruction of Traffic Signal Systems, VFW Parkway at Corey Street, West Roxbury -

Item No. 854-014	$1,000.00
Temporary Pavement Markings 4" Painted	
Item No. 854-100	$ 400.00
Pavement Marking - Removal - Paint	
Item No. 864-040	$ 560.00
Pavement Arrow & Legend Reflectorized White Thermoplastic	
Item No. 866-040	$1,050.00
4" Reflectorized White Lines Thermoplastic	
Item No. 866-120	$ 630.00
12" Reflectorized White Lines Thermoplastic	
Item No. 867-040	$1,000.00
4" Reflectorized Yellow Lines Thermoplastic	
Total -	$4,640.00

(At no increase in Contract Cost).
The Commission V O T E D: authorization for Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of Markings, Inc., as sub-contractor for certain items on Contract No. P98-1958-C1A, as recommended by Mr. Faucher and Mrs. Graves-Jones, in their report of September 11, 1998.

3. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, September 23, recommending approval of a revision in quantities on Item No. 002-100 - Resetting of Stone at Granite Bridge Wall - at a cost of $5,280.00, on Contract No. PL82-1022-C1A, with R. H. D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract Cost as the revision will be offset by unused quantities in Item No. 003-040 - Crushed Run Stone).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Machado, September 2, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities as follows on Contract No. P97-1920-C1A, with D & R General Contracting Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District -

Item No. 007-010	- Bituminous Concrete	- $83,250.00
Item No. 009-010	- Bituminous Tack Coat	- $ 3,000.00
Item No. 035-030	- 12 Inch R.C. Pipe	- $ 2,800.00
	Total	- $89,050.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 008-010 - Bituminous Concrete for Driveways/Patches/Small Parking Lots, 011-010 - Granite Edgestone Type VA 6" x 18" Straight, 020-010 - Traffic Signal Detector Loops and 021-010 - Traffic Control Services).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1920-C1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $89,050.00.

2. Report of Messrs. Faucher and Machado, September 18, recommending approval of Extra Work Order No. 1 - for Hand Rails for Handicap Ramps - at a costs of $24,786.00 - on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District Park System.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 075-010 - Furnish, Install, Repair or Replace Boston Pattern Fence, 086-010 - 16 Foot High Treated Wood Fence and 089-010 - Information Materials).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $24,786.00.

3. Report of Messrs. Faucher and Sacco, September 23, on bids for Upper Mystic Lake Aqueduct Activation, Medford, Contract No. P99-1975-C1A.
(Messrs. Faucher and Sacco recommend acceptance of the lowest bid received, that of George B. Smith & Sons, Inc., of $28,996.00).
The Commission V O T E D: to accept the lowest bid received, that of George B. Smith & Sons, Inc., of $28,996.00.

4. Report of Messrs. Faucher and Mayhew, September 24, on bids for Construction of Rest Rooms at Revere Landing Park, Charlestown, Contract No. PL82-1022-C2A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of T. Cooney Company, of $95,000.00).
The Commission V O T E D: to accept the lowest bid received, that of T. Cooney Company, of $95,000.00.

5. Report of Messrs. Faucher and Higgott, September 15, submitting for approval and execution Joint Funding Agreement with the United States Department of the Interior, Geological Survey, for Gaging Stations within the Charles River and Mystic River Watersheds, for the period from October 1, 1998 to September 30,

1999, Contract No. P88-1530-M7A.
MDC Share - $29,772.50 for Federal Fiscal Year 1999.
Account No. 2440-0010-TT.
Funds for July 1, 1999 to September 30, 1999, are contingent on appropriation and will be requested when available.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated October 1, 1998, with the United States Department of the Interior, Geological Survey, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Pula, September 21, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of $2,601.40; to purchase approximately 11,066 board feet of timber, 293 cords of firewood and 19 cords of pulp on Timber Lot No. 147A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Bosse Logging, of $1,835.00; to purchase approximately 14,440 board feet of timber, 78 cords of firewood, 11 cords of pulp and 25 cords of pulp tops on Timber Lot No. 152 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of $6,076.48; to purchase approximately 36,988 board feet of timber, 118 cords of firewood, 46 cords of pulp and 71 cords of pulp tops on Timber Lot No. 153 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of $22,975.00; to purchase approximately 147,390 board feet of timber, 331 cords of firewood and 796 tons of pulp on Timber Lot No. 154 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Matt Fisher, of $14,037.00; to purchase approximately 102,000 board feet of timber, 100 cords of firewood and 59 tons of pulp on Timber Lot No. 273 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of $22,394.84; to purchase approximately 363,000 board feet of timber, 80 cords of firewood, 18 cords in tops, 190 tons of pulp and 454 tons of pulp tops on Timber Lot No. 780A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Dayle McLean, of $18,672.00; to purchase approximately 239,679 board feet of timber, 323 cords of firewood, 74 cords of firewood in tops, 173 tons of pulp and 323 tons of pulp in tops on Timber Lot No 781A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $27,500.00; to purchase approximately 110,400 board feet of timber, 165 cords of firewood and 60 cords of firewood tops on Timber Lot No. 786A -

Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hutchinson Logging, of $26,370.00; to purchase approximately 138,000 board feet of timber, 305 cords of firewood and 60 cords of firewood in tops on Timber Lot No. 787A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to reject the only bid received, that of Wagner Wood, of $5,260.00; to purchase approximately 203,000 board feet of timber, 652 cords of firewood, 93 cords of firewood in tops and 76 tons of pulp, as the bid is too far below the fair market value to justify acceptance on Timber Lot No. 816 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of W.D. Cowls, of $9,346.00; to purchase approximately 72,000 board feet of timber, 70 cords of firewood and 15 cords of firewood tops on Timber Lot No. 817 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of $49,220.10; to purchase approximately 392,400 board feet of timber, 209 cords of firewood and 71 tons of pulp on Timber Lot No. 818 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hutchinson Logging, of $69,982.00; to purchase approximately 603,400 board feet of timber, 59 cords of firewood, 10 cords in tops, 300 tons of pulp and 600 tons of pulp tops on Timber Lot No. 819 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $12,003.76; to purchase approximately 114,500 board feet of timber, 42 cords of firewood, 13 cords in tops and 45 tons of pulp on Timber Lot No. 820 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Mike's Cordwood, of $3,576.23; to purchase approximately 36,964 board feet of timber, 128 cords of firewood, 19 cords of firewood tops and 46 tons of pulp on Timber Lot No. 821 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to hold over the matter of rejection of the second highest qualified bid, that of Tim Robinson Logging, of $19,028.00; to purchase approximately 307,000 board feet of timber, 960 cords of firewood, 240 cords of firewood tops and 150 tons of pulp, on Timber Lot No. 822 - Quabbin Reservoir Watershed, pending presentation of further information, requested by Associate Commissioner Wu, concerning withdrawal of the highest qualified bid, that of Curtis Lumber of $48,140.00.
The Commission further V O T E D: to hold over the matter of rejection of the second highest qualified bid, that of T. Jepson & Son, of $19,200.00 to purchase approximately 298,000 board feet of timber, 42 cords of firewood and 1,000 tons of pulp on Timber Lot No. 823 - Quabbin Reservoir Watershed, pending presentation of further information on Timber Lot No. 822 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to Hold Over the acceptance of the highest qualified bid, that of Curtis Lumber, of $40,500.00;

to purchase approximately 290,000 board feet of timber on Timber Lot No. 271 - Ware River Watershed, pending presentation of further information on Timber Lot No. 822 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to Hold Over the acceptance of the highest qualified bid, that of Curtis Lumber, of $11,050.00; to purchase approximately 85,000 board feet of timber on Timber Lot No. 272 - Ware River Watershed, pending presentation of further information on Timber Lot No. 822 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to Hold Over the acceptance of the highest qualified bid, that of Curtis Lumber, of $24,850.00; to purchase approximately 151,000 board feet of timber and 1,100 tons of whole tree wood on Timber Lot No. 274 - Ware River Watershed, pending presentation of further information on Timber Lot No. 822 - Quabbin Reservoir Watershed.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, September 18, recommending that the Commission affirm and amend its vote of January 29, 1998, and declare surplus and transfer in accordance with the provision of Chapter 194 of the Acts of 1997, that certain parcel of land located in the Town of Clinton and comprising approximately 48.3811 acres, to the Town of Clinton, solely for recreational, open space and educational purposes, subject to the terms and provisions of said Act, the EOEA Article 97 Land Disposition policy and other special conditions.
The Commission V O T E D: to affirm and amend its vote of January 29, 1998, and declare surplus and transfer in accordance with the provision of Chapter 194 of the Acts of 1997, that certain parcel of land located in the Town of Clinton and comprising approximately 48.3811 acres, to the Town of Clinton, solely for recreational, open space and educational purposes, subject to the terms and provisions of said Act, the EOEA Article 97 Land Disposition policy and other special conditions.

Action was taken upon the following Various Matter:

2. Report of Commissioner Balfour, September 30, recommending that the MDC bath house, being reconstructed at Carson Beach, South Boston, be named in memory of Edward J. McCormack, former Attorney General of the Commonwealth of Massachusetts.
The Commission V O T E D: Approved as recommended by Commissioner Balfour in his report of September 30, 1998.

Adjourned at 9:45 a.m., to meet on Thursday, October 8, 1998, at 9:00 a.m.

William F. Weld
Secretary

Record of the Three Thousand Eight Hundred and Sixty Sixth (3866th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 8, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 17, 1998 were read and approved.

The Secretary submitted the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P98-1954-CIA, dated October 8, 1998, with R.A.D. Corporation, for Construction of New Playground at Nantasket Beach, Hull.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Miss Peterson, August 24, recommending that the Commission vote to close out Contract No. P82-1052-D1D, with H. W. Lochner, Inc., for Structural Engineering Services for Upgrading of Philip Briggs Bowker Interchange and Inbound Storrow Drive Structure.
(Contract Performance Rating - 7.00 with 10.00 being excellent)
(EEO Performance - N/A)
The Commission V O T E D: Approval to close out Contract No. P82-1052-D1D, with H. W. Lochner, Inc., for Structural Engineering Services for Upgrading of Philip Briggs Bowker Interchange and Inbound Storrow Drive Structure.

3. Report of Messrs. Faucher and Brooks, September 22, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for water boiler fuel line connections in addition to installation of unit heaters at Melrose and Malden Pools - at a cost of $3,770.00, on Contract No. P97-1887-M1A, with Allied Weatherproofing Company, Inc., for Service and Repairs to all MDC Swimming Pools and Service Buildings within the Metro Parks System.
Account No. 2440-0010.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1887-M1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $3,770.00.

4. Report of Messrs. Faucher and DiRamio, September 28, recommending authorization for B & E Construction Corporation, general contractor, to engage the services of the following sub-contractors on Contract No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston -

Charles Anthony Company

Driven Piles $272,136.00

Mass Bay Electrical Corporation

Electrical Work $ 13,780.00
(At no increase in Contract cost).
The Commission V O T E D: authorization for B & E Construction Corporation, general contractor, to engage the services of Charles Anthony Company and Mass Bay Electrical Corporation, as sub-contractors on Contract No. P95-1783-C1A, as recommended by Messrs. Faucher and DiRamio in their report of September 28, 1998.

1. Report of Messrs. Faucher and Griffin, October 2, recommending authorization for R.H.D. Construction Co., Inc., general contractor, to engage the services of the following sub-contractors on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown -

Auciello Iron Works, Inc.

Item No. 033 - Fabricate and Install Railings - $290,000.00

KAO Construction Co., Inc.

Item No. 017 - Playground & Playground Fence Installation - $ 24,000.00

Safe Guard Surfacing, Corp.

Item No. 012 - Safety surface installation - $ 40,000.00
(At no additional Contract cost)
The Commission V O T E D: authorization for R.H.D. Construction Co., Inc., general contractor, to engage the services of Auciello Iron Works, Inc., KAO Construction Co., Inc., and Safe Guard Surfacing, Corp., as sub-contractors on Contract No. PL82-1022-C1A, as recommended by Messrs. Faucher and Griffin in their report of October 2, 1998.

2. Report of Messrs. Faucher and Machado, September 30, recommending approval of revisions in quantities and an alteration on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences, as follows -

Revisions in Quantities

Item No. 016-010 - Steel Bollard - $1,140.00
Item No. 039-010 - Steel Posts - $6,390.00

Alteration

Alteration No. 1 $1,040.62
13.5% Surcharge for Corten Steel Guard Rail Terminal End Section and Posts

Total - $8,570.62

(At no increase in Contract cost as the revisions and the Alteration will offset by unused quantities in Item No. 035-010 - New SS Guard Rail and Post (Straight).
The Commission V O T E D: to approve the Revisions in Quantities on Item No. 016-010 and Item No. 039-010, in the amount of $7,530.00.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of $1,040.62.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Pula, September 21, recommending the following on purchase of forest products located on the Ware River and Quabbin Watersheds -

To accept the highest qualified bid, that of Curtis Lumber, of $40,500.00; to purchase approximately 290 board feet of timber on Timber Lot No. 271 - Ware River Watershed.

To accept the highest qualified bid, that of Curtis Lumber, of $11,050.00; to purchase approximately 85,000 board feet of timber on Timber Lot No. 272 - Ware River Watershed.

To accept the highest qualified bid, that of Curtis Lumber, of $24,850.00; to purchase approximately 151,000 board feet of timber on Timber Lot No. 274 - Ware River Watershed.

To allow the highest qualified bidder, Curtis Lumber, to withdraw his bid of $48,140.00, to purchase approximately 307,000 board feet of timber, 960 cords of firewood, 240 cords of firewood tops and 150 tons of pulp, on Timber Lot No. 822 - Quabbin Reservoir Watershed, and to reject the second highest bid, that of Tim Robinson Logging of $19,028.00, as the bid is too far below the fair market value to justify acceptance.

To allow the highest qualified bidder, Curtis Lumber, to withdraw his bid of $34,950.00, to purchase approximately 298,000 board feet of timber, 42 cords of firewood and 1,000 tons of pulp, on Timber Lot No. 823 - Quabbin Reservoir Watershed, and to reject the second highest bid, that of T. Jepson & Son, of $19,200.00, as the bid is too far below the fair market value to justify acceptance.

Associate Commissioner Wu stated that in his opinion Curtis Lumber abused the MDC's bidding process by accepting Timber Lot Nos. 271, 272 and 274 and withdrawing its high bids on Timber Lot Nos. 822 and 823. He then stated that the withdrawal of the bids was inappropriate and offensive to the MDC. Associate Commissioner Wu then urged staff to prepare a more stringent policy on timber bidding so that the bidding process will not be abused in the future. The policy, he noted, should make provisions for penalties for any future abuses in the bidding procedures.

Associate Commissioner Carr stated that he concurred with Associate Commissioner Wu on this mater. He then asked that staff prepare a policy, for Commission approval, which will tighten up the bidding procedure so that a proposer cannot walk away from any of its proposals.

Following a lengthy discussion, Associate Commissioner Elkort made a motion to approve the recommendation of Messrs. McGinn and Pula on proposals for the purchase of forest products located on the Quabbin and Ware River Watersheds.

Associate Commission Carr seconded the motion, noting the reason for his vote was that he felt the existing system for the award of timber lots was not tight enough and, therefore, it did not make provisions for bid withdrawals.

Commissioner Balfour voted in favor of Associate Commissioner Elkort's motion, therefore, the recommendation of Messrs. McGinn and Pula was approved.

Associate Commissioner Wu and settles voted in opposition to the recommendation of Messrs. McGinn and Pula.

On motion of Associate Commissioner Wu, the Commission voted to

direct the Watershed Management Division to prepare a more definitive policy on timber bidding, including provisions restricting a bidder from walking away from a submitted proposal. This policy shall be presented to the Commission for action no later than thirty days from today's meeting.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, September 30, recommending that the following permits be renewed for the 1998-1999 skating season with the provision that each youth organization provide updated copies of the following:

   Only those non-profit youth hockey groups or organizations, which have their Articles of Organization (and addendum if applicable) registered with the Secretary of State's Office under provisions of Chapter 180 of the Massachusetts General Laws, will be eligible to renew as a non-profit group. In addition, a list of names, addresses and titles of current officers of the group along with current copies of Certificates of Insurance, price list and menu must be submitted.

LOCATION	CONCESSIONAIRE	PERMIT FEE
Anthony A. LoConte Rink, Veterans Memorial Parkway, Medford	Medford Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Paul W. Cronin Rink Revere Beach Parkway Revere	Revere Youth Hockey *	$1.00 per season - plus $100.00 per month for utilities
Francis L. Murphy Rink William J. Day Blvd. South Boston	South Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Allied Veterans Memorial Rink Elm Street Everett	Everett Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Alexander S. Bajko Rink Turtle Pond Parkway Hyde Park	Hyde Park Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Robert M. Devine Rink Morrissey Boulevard Dorchester	Dorchester Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Emmons-Horrigan-O'Neil Rink Rutherford Avenue Charlestown	Charlestown Youth Hockey *	$1.00 per season - plus $100.00 per month for utilities

LOCATION	CONCESSIONAIRE	PERMIT FEE
Rev. Romano Simoni Rink Gore Street Cambridge	Cambridge Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Walter D. Bryan Rink VFW Parkway West Roxbury	Parkway Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Reilly Memorial Rink Cleveland Circle Brighton	All-Bright Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Connery Memorial Rink Shepard Street Lynn	Lynn Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Flynn Memorial Rink Woodland Road Medford	Tri City Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Porrazzo Memorial Rink Constitution Beach East Boston	East Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Connell Memorial Rink Broad Street Weymouth	Weymouth Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Veterans Memorial Rink Somerville Avenue Somerville	Somerville Youth Hockey *	$1.00 per season - plus $100.00 per month for utilities
Veterans Memorial Rink Totten Pond Road Waltham	Waltham Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Max Ulin Rink Unquity Road Milton	Milton Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
William T. Shea Rink ** Willard Street Quincy	Braintree Youth Hockey	$1.00 per season - plus $100.00 per month for utilities

LOCATION	CONCESSIONAIRE	PERMIT FEE
Daly Memorial Rink Nonantum Road Brighton	North End Youth Hockey	$1.00 per season - plus $100.00 per month for utilities

* Has an outstanding balance due for concession during 1997-1998 season.
** New Concessionaire

Associate Commissioner Carr moved that the renewal of the ice skating rink concession permits be approved for the 1998-1999 skating season. However, he recommended that the renewal of the following permits be contingent upon payment of outstanding balances due for concession permits during the 1997-1998 season.
Somerville Youth Hockey - $522.00
Revere Youth Hockey - $100.00
Charlestown Youth Hockey - $125.00
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of September 30, 1998.
The Commission further V O T E D: that the renewal of the permits for Somerville Youth Hockey, Revere Youth Hockey and Charlestown Youth Hockey be contingent upon payment of outstanding balances for concession permits for the 1997-1998 season.

Adjourned at 10:00 a.m., to meet on Thursday, October 15, 1998, at 9:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Eight Hundred and Sixty Seventh (3867th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 15, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on October 1, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, October 1, on bids to Remove and Dispose of Metal Shed and Compressor Building at Mystic Lakes, Medford, Contract No. P98-1949-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of McConnell Enterprises, Inc., of $13,990.00).
The Commission V O T E D: to accept the lowest bid received, that of McConnell Enterprises, Inc., of $13,990.00.

2. Report of Messrs. Faucher and Brooks September 21, recommending the following on Contract No. P96-1859-M1A, with Lewis Refrigeration Co., Inc., for Maintenance of Refrigeration Systems at Ice Skating Rinks within the Metropolitan District -
(a) That work be accepted as completed as of July 31, 1998.
(b) That Estimate No. 19 (Final), in the amount of $8,941.64, be approved for payment.
(c) That reserve, in the amount of $8,645.56, be approved for payment.
(Basis of Award - $582,250.00)
(Amount to Date - $722,620.15)
(Contract Performance Rating - 100 with 100 being excellent)
(EEO Compliance - 1.25)
The Commission V O T E D: that the work of Lewis Refrigeration Co., Inc., Contractor under Contract No. P96-1859-M1A, be and hereby is accepted as completed as of July 31, 1998.
The Commission further V O T E D: to approve Estimate No. 19 (Final), in the amount of $8,941.64, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $8,645.56, be approved for payment.

3. Report of Messrs. Faucher and Machado, October 2, recommending authorization for D & R General Contracting, Inc., general contractor, to engage the services of T Equipment Corporation, as sub-contractor for Item No. 047-010 - Expansion Joint Replacement (Asphaltic Plug Type Joint) - $60,000.00, on Contract No. P97-1920-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost).
The Commission V O T E D: authorization for D & R General Contracting, Inc., general contractor, to engage the services of T Equipment Corporation, as sub-contractor for Item No. 047-010, on Contract No. P97-1920-C1A, as recommended by Messrs. Faucher and Machado in their report of October 2, 1998.

on Contract No. P97-1920-C1A, as recommended by Messrs. Faucher and Machado in their report of October 2, 1998.

1. Report of Messrs. Faucher and Machado, October 2, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P97-1918-C1A, with D & R General Contracting Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations -

Item No. 009-010	**$ 800.00**
Curbing or Edging Removed	
Item No. 010-010	**$17,500.00**
Granite Edgestone R & R	
Item No. 015-010	**$ 5,000.00**
Pavement Trimming	
Item No. 016-010	**$12,000.00**
Cement Concrete in Front of Edgestone	
Item No. 034-010	**$ 33.50**
1 1/2 inch Painted Lines	
	Total - $35,333.50

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 019-010 - Cement Concrete Sidewalks, Driveways, Medians and Traffic Islands, 6" thick).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1918-C1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $35,333.50, as recommended by Messrs. Faucher and Machado, in their report of October 2, 1998.

2. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, September 28, recommending approval of Extra Work Order No. 3 - for Installation of a Booster Pump for the Irrigation System - at a cost of $10,042.50 - on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 003-040 - Crushed Run Stone).
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $10,042.50.

3. Report of Messrs. Faucher and Jackson, October 7, requesting approval of an extension of time from July 15, 1999 to January 5, 2000, on Contract No. P97-1870-C3A, with D & R General Contracting/MDR Construction Co.,Inc., for Reconstruction of Richard T. Artesani Playground, Brighton, due to circumstances beyond both the MDC and the contractor's control.
The Commission V O T E D: to approve an extension of time, from July 15, 1999 to January 5, 2000, as requested by Messrs. Faucher and Jackson, in their report of October 7, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Jackson, September 30, recommending

approval of the action of Acting Director Faucher resulting in Extra Work Order No. 4 - for relocating and securing the boat docking facility from Kelly's Landing in South Boston to George's Island and miscellaneous work - at a cost of $35,525.56, on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches.
Account Number 2440-8956.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 4 on Contract No. P95-1784-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $35,525.56.

1. Report of Messrs. Faucher and Mayhew, October 2, recommending approval of an extension of time from August 29, 1998 to September 30, 1998, on Contract No. P98-1931-CIA, with John Associates, Inc., for Replacement of Translucent Panels at the Emmons-Horrigan-O'Neill Rink, Charlestown, due to the late delivery of material.
The Commission V O T E D: to approve the extension of time from August 29, 1998 to September 30, 1998, as recommended by Messrs. Faucher and Mayhew, in their report of October 2,, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Mr. Driscoll, September 23, requesting approval and execution of Amendment No. 8, to Contract No. PL92-017-S1A, with Carol R. Johnson Associates, Inc., for Upper Charles River Reservation Restoration Master Plan and Design Services. The Amendment calls for an extension of time from September 30, 1998 to June 30, 1999, to continue construction observation services on Phase 1B (Newton and Waltham segment of the new greenway), and an increase in compensation of $20,491.68 for -
1. Printing 500 additional copies of the final master plan for the Upper Charles River Reservation - $8,224.00.
2. Construction administration services for completion of Phase 1A punch list and Phase 1B construction and punch list - $12,267.68, for Upper Charles River Reservation Restoration.

Account No. 2490-0017.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 8, dated October 15, 1998, to Contract No. PL92-017-S1A, with Carol R. Johnson Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 9:45 a.m., to meet on Thursday, October 22, 1998, at 9:00 a.m.

William F. Crusher
Secretary

Record of the Three Thousand Eight Hundred and Sixty Eighth (3868th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 22, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 8, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Griffin, October 18, recommending authorization for R.H.D. Construction Co., Inc., general contractor, to engage the services of J. F. Foley & Sons, Inc., as sub-contractor for Item No. 023-010 - Sandblast concrete at fish pier wall - $1,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.
(At no increase in Contract cost).
The Commission V O T E D: authorization for R.H.D. Construction Co., Inc., general contractor, to engage the services of J. F. Foley & Sons, Inc., as sub-contractor for Item No. 023-010 - Sandblast concrete at fish pier wall - $1,000.00, on Contract No. PL82-1022-C1A.

2. Report of Messrs. Faucher and Machado, October 16, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 4 - for 12" PVC Drain Pipe and 12" Furnco Coupling - at a cost of $1,072.20, on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 072-010 - Painting Chain Link Fence, 8 ft. to 12 ft. High and 078-010, Furnish, Install, Repair or Replace Steel picket Fence 3 ft. to 3 ft 9 inches High).
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Extra Work Order No. 4, on Contract No. P96-1862-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $1,072.20.

3. Report of Messrs. Faucher and Machado, October 16, recommending approval of an extension of time from September 11, 1998 to September 14, 1998, on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System, due to added time needed to complete Extra Work Order No. 4.
The Commission V O T E D: to approve an extension of time from September 11, 1998 to September 14, 1998, as recommended by Messrs. Faucher and Machado in their report of September 16, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Machado, October 13, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations -

Item No. 053-010	**$ 9,432.50**
2ft. to 3 ft. - 6 inches high Black Vinyl Chain Link Fence	
Item No. 063-010	**$ 1,850.00**
10 ft. high Black Vinyl Chain Link Fence	
Item No. 066-010	**$ 3,010.00**
3 strand barbed wire	
	Total - $14,292.50

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 065-010 - Black Vinyl Clad Chain Link Fence 12 ft. High and 035-010 - New SS Guard Rail and Post (Straight).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P97-1919-C1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $14,292.50.

2. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, October 15, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 4 - for assembly modification made to the traffic signal span - at a cost of $2,767.16, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No 003-040 - Crushed Run Stone).
The Commission V O T E D: to approve the action of Acting Director Faucher resulted in Extra Work Order No. 4, on Contract No. PL82-1022-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $2,767.16.

3. Report of Messrs. Faucher and Higgott, October 1, recommending approval of a revision in quantities on Item No. 6130 - Treated Timber, at a cost of $188,325.00, on Contract No. P82-1112-D2A, with Early and Sons, Inc., for Peddock's Island Pier Replacement. Account No. 2440-8956.
Associate Commissioner Elkort requested an explanation for the variation from the specification for payment based on nominal size timber.
Mr. Terzian responded that the Contractor erred in the estimate by basing it on standard dressed size measurements.
Associate Commissioner Wu questioned the cost of the addition of the wave break fencing.
Mr. Terzian answered that the breakdown of that portion of the cost due to the wave baffle was not available, but that it would not constitute a significant percentage of the cost increase.
Associate Commissioner Carr asked whether the Contractor was experienced in this type of work and Mr. Jewett answered that the Contractor was pre-qualified for similar work.
The Commission V O T E D: Approved.

1. Report of Mr. Faucher, September 25, submitting for approval Work Schedule, Project Summary, Project Justification and authorization to engage the services of the U.S. Army Corps of Engineers, for engineering design for Project No. P99-1979-D1A, for Rehabilitation of the Nantasket Beach Seawall, Hull.
Upset Limit - $330,000.00.
Time for Performance - twelve months.
Mr. Faucher further requests that the Commission approve the Memorandum of Agreement (MOA), between the Commonwealth of Massachusetts and the U.S. Army Corps of Engineers, and that Commissioner Balfour be authorized to execute the MOA on behalf of the Commission.
The Commission V O T E D: to approve Project No. P99-1979-D1A, for Rehabilitation of the Nantasket Beach Seawall, Hull.
The Commission further V O T E D: authorization to engage the services of the U.S. Army Corps of Engineers, for engineering design for Project No. P99-1979-D1A.
The Commission further V O T E D: to approve the Memorandum of Agreement (MOA), between the Commonwealth of Massachusetts and the U.S. Army Corps of Engineers.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the MOA on behalf of the Commission.

2. Report of Messrs. Faucher, Brooks and Balicki, October 21, requesting approval to engage the services of C. W. Davis Supply Co., Inc., to supply and install ice rink equipment - $274,800.00 - on Contract No. P99-1972-X1A, for the Temporary Peter Kelly Rink, Jamaica Plain.
Time for Performance - seven weeks.
Account No. 2440-9812.
Mr. Faucher further requests that the Commission stipulate that no Contract be executed unless and until a License Agreement has been finalized with the Massachusetts Bay Transportation Authority for the siting and operation of this temporary rink on its property.
The Commission V O T E D: approval to engage the services of C. W. Davis Supply Co., Inc., to supply and install ice rink equipment - $274,800.00 - on Contract No. P99-1972-X1A, for the Temporary Peter Kelly Rink, Jamaica Plain.
Associate Commissioner Wu asked if the Commission would have an opportunity to review the License Agreement prior to execution.
Mr. Gray responded that the License Agreement would come before the Commission for review and approval prior to its finalization.
Associate Commissioner Carr asked if it was necessary for the Commission to reject the proposal of the low bidder for the project.
Mr. Jewett stated that the procurement process does not involve the Commission in the acceptance or rejection of bids.
Associate Commissioner Carr noted that Under Secretary of Environmental Affairs, George Crombie, is directing this project on behalf of the Secretariat and has stated that no alternatives exist to the siting at this location.
The Commission further V O T E D: to stipulate that no Contract be executed unless and until a License Agreement has been finalized with the Massachusetts Bay Transportation Authority for the siting and operation of this temporary rink on its property.

1. Report of Messrs. Faucher, Brooks and Balicki, October 21, requesting approval to engage the services of Williams Scotsman, Inc., to supply and install trailer and modular structures - $86,200.00 - on Contract No. P99-1972-X2A, for the Temporary Peter Kelly Ice Rink, Jamaica Plain.
Time for Performance - seven weeks.
Account No. 2440-9812.
Mr. Faucher further requests that the Commission stipulate that no Contract be executed unless and until a License Agreement has been finalized with the Massachusetts Bay Transportation Authority for the siting and operation of this temporary rink on its property.
Associate Commissioner Wu reiterated that the License Agreement must come before the Commission for its approval prior to the commencement of the project.
The Commission V O T E D: approval to engage the services of Williams Scotsman, Inc., to supply and install trailer and modular structures - $86,200.00 - on Contract No. P99-1972-X2A, for the Temporary Peter Kelly Ice Rink, Jamaica Plain.
The Commission further V O T E D: to stipulate that no Contract be executed unless and until a License Agreement has been finalized with the Massachusetts Bay Transportation Authority for the siting and operation of this temporary rink on its property.

Action was taken upon the following matter relating to the Division of Watershed Management:

2. Report of Messrs. McGinn and Vignaly, September 9, submitting for approval and execution Joint Funding Agreement - (Contract No. WM99-027-S1A) - with the Department of the Interior, Geological Survey, for -
1. Monitoring and publishing data for eight stream gages throughout the Sudbury, Wachusett, Ware River and Quabbin Watersheds.
2. Compilation and publication of data from eight groundwater monitoring wells throughout the Wachusett Watershed.
3. Evaluating and monitoring six tributaries to the Wachusett Reservoir.

Time for Performance - October 1, 1998 through September 30, 1999.
MDC Share - $52,035.00.
Account No. 2420-1400 sub TT.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement - (Contract No. WM99-027-S1A), dated October 22, 1998, with the Department of the Interior, Geological Survey, which was signed by the Commissioner and four Associate Commissioners."

Action was taken upon the following Various Matters:

3. Report of Miss Overton and Mr. Traficante, October 6, recommending approval of Amendment No. 2, for an extension of time from November 1, 1998 to December 31, 1998, on Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc., for

Industrial Hygiene Services, due to the need to complete work on the Contract.
(At no additional Contract cost).
The Commission V O T E D: Approved.

1. Report of Ms. Anderson, October 16, requesting that the Commission, in accordance with MDC's Policy for Refund/ Cancellation of Permit Fees, waive the 1998 permit fee owed by Charles River Recreation, Inc., for the Canoe, Kayak and Rowing Service in Newton, upon presentation of verified bills for construction and repairs to the MDC structure at 2401 Commonwealth Avenue, Newton, in an amount no less than $15,000.00 or 2.5% of gross revenues, whichever is greater, for the 1998 season.
Associate Commissioner Wu asked about the amount of work required to be done to improve the facility. Mr. Larry Smith, President of Charles River Recreation, Inc., responded that he requested and received various bids to determine costs to renovate the facility, and that $15,000.00, or 2.5% gross revenue, whichever is greater, would constitute the anticipated cost of capital improvements for the 1998 season.
Associate Commissioner Settles voiced for the record his concern that entrepreneurs must assume some of the risk and the cost involved in improving MDC facilities.
Associate Commissioner Carr noted that this project falls into the category of facilities considered by the Policy for Refund/Cancellation of Permit Fees, as adopted by the Commission.
Mr. McDonald, Acting General Counsel, stated that this particular building is unsafe and that the renovations would have to be done.
The Commission V O T E D: Approved as requested by Ms. Anderson, in her report of October 16, 1998.
Associate Commissioner Wu abstained from voting on this matter.
The Secretary then submitted for signature Agreement, dated October 22, 1998, with Charles River Recreation, Inc., to waive the annual permit fee for the 1998, which was signed by Mr. Larry Smith, President of Charles River Recreation, Inc., and Commissioner David B. Balfour, Jr., on behalf of the MDC.

2. Report of the Concession Selection Committee October 14, recommending the following on Permit for the Concession at the Pavilion at Nantasket Beach, Hull -
1. That the fee be reduced from $10,500.00 to $676.45, for the 1998 season, due to the costs incurred by the concessionaire in bringing the stand up to code prior to the opening for the 1998 season.
2. That the concessionaire be authorized to change the name of the business from Tastefully Yours to Ally's at the Beach.

Associate Commissioner Settles expressed his concern and stated that the MDC should be pro-active in ensuring concession facilities are up to code and MDC responsibilities, once the Commission approves concession permits, should be limited.
Associate Commissioner Wu stated that he wanted to make sure that the work personally performed by Mr. Milmore, the concessionaire

at the Pavilion, did not include his own labor and that receipts exist for the work performed by outside contractors.
Acting General Counsel McDonald stated that the request for the reduction in fee was for repairs to the building, rather than purchasing equipment for the concession. He then explained that Mr. Milmore will not get paid for his labor. The issue for the Commission on this matter, Mr. McDonald stated, is whether to pay for structural repairs and not concession equipment.
Associate Commissioner Elkort stated that she felt that this is a good means of getting work done at little expense to the Commission.
Commissioner Balfour stated that the bid process should require structural improvements as part of the MDc permitting process.
Commissioner Balfour noted that MDC permits are now being put out to bid for a five-year term rather than 2 one year terms, as was prior practice, to allow concessionaire to invest in facility improvements. This, he noted, is a big improvement over the process used in the past.
Associate Commissioner Wu suggested that in the future, and prior to reducing fees under the Policy, concessionaires should be asked for an estimation of the amount and type of work to be done to improve the MDC Facility, over the full term of the permit.
After a lengthy discussion, the Commission V O T E D: Approved as recommended by the Concession Selection Committee in their report of October 14, 1998.

Adjourned at 10:15 a.m., to meet on Thursday, October 29, 1998, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Sixty Ninth (3869th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 29, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on October 15, 1998 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated October 29, 1998, with Bruce Campbell & Associates, for Professional Traffic Engineering Services.

2. Amendment No. 2, dated October 29, 1998, to Contract- Agreement No. P95-1766-X1A, with Covino Environmental Associates, Inc., for Industrial Hygiene Services.

3. Contract No. P98-1949-C1A, dated October 29, 1998, with McConnell Enterprises, Inc., to Remove and Dispose of Metal Shed and Compressor Building at Mystic Lakes, Medford.

4. Contract No. P99-1975-C1A, dated October 29, 1998, with George B. Smith and Sons, Inc., for Upper Mystic Lake Aqueduct Activation, Medford.

5. Contract No. PL82-1022-C2A, dated October 29, 1998, with T. Cooney Company, for Construction of Rest Rooms at Revere Landing Park, Charlestown.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Haider, September 30, recommending the following on Contract No. P97-1910-M1A, with Inner Space Services, Inc., for Service to Underwater Structures at Various MDC Flood Control/Navigational Sites -
(a) That work be accepted as completed as of July 30, 1998.
(b) That Estimate No. 8 (Final), in the amount of $2,278.10, be approved for payment.
(c) That reserve, in the amount of $119.90, be approved for payment.
(Basis of Award - $53,960.00)
(Amount to Date - $57,722.24)
(Contract Performance Rating - 3.30)
(EEO Compliance - 4.40)
The Commission V O T E D: that the work of Inner Space Services, Inc., Contractor under Contract No. P97-1910-M1A, be and hereby is accepted as completed as of July 30, 1998.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of $2,278.10, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $119.90, for payment.

1. Report of Messrs. Faucher, Brooks and Martinez, October 22, on bids for Utilities Connection for the Temporary Outdoor Peter J. Kelly Skating Rink in Jamaica Plain, Contract No. P99-1972-C1A. (Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of T - Ford Company, Inc., of $285,295.00).
They further request that no Contract be executed unless and until a License Agreement has been finalized with the Massachusetts Bay Transportation Authority, for the siting and operation of the temporary rink on its property.
The Commission V O T E D: to accept the lowest bid received, that of T - Ford Company, Inc., of $285,295.00)
The Commission further V O T E D: that no Contract be executed unless and until a License Agreement has been finalized with the Massachusetts Bay Transportation Authority, for the siting and operation of the temporary rink on its property.

2. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, October 20, recommending approval of a revision in quantities on Item No. 013-070 - 6 Inch PVC Under Drain - at a cost of $22,000.00, on Contract No. PL82-1022-C1A, with R. H. D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 003-040 - Crushed Run Stone).
The Commission V O T E D: Approved.

3. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, October 21, recommending approval of revisions in quantities on the following items on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park -

Item No. 013-060	- Slotted Drain	- $ 1,056.00
Item No. 015-010	- 4 Inch Ductile Iron Pipe and Fittings	- $ 217.80
Item No. 026-020	- Granite Landings at Nautilus	- $ 2,175.80
Item No. 026-090	- Stone to Match Bridge Cap and Wall Stone	- $22,990.00
Item No. 033-030	- Nautilus Rail	- $ 7,524.00
	Total	- $33,963.60

Account No. 2449-6033.
The Commission V O T E D: Approved.

4. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, October 22, recommending approval of Extra Work Order No. 5 - for furnishing and installing 4.5 inches of Black Base Pavement at Water Street, Charlestown - at a cost of $6,180.00, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 033-060 - Double Leaf Closure Gate and 039-160 - Intercom System).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Lenhardt, October 20, requesting the following on Contract No. P93-1672-E3A, for Emergency Repairs to Wood's Memorial Bridge, Medford/Everett -

1. Vote to declare Contract No. P93-1672-E3A, for Emergency Repairs to Wood's Memorial Bridge, Medford/Everett, as an emergency Contract pursuant to G.L. Chapter 149, Section 44A - 44J.
2. Vote to ratify the action taken by the Division in regards to Contract No. P93-1672-E3A.
3. Vote to accept the lowest bid received, that of B & E Construction Co., Inc., of $283,166.00.
4. Execution of Contract No. P93-1672-E3A.

Time for Performance - thirty days.
Account No. 2490-0017.
The Commission V O T E D: to declare Contract No. P93-1672-E3A, for Emergency Repairs to Wood's Memorial Bridge, Medford/Everett, as an emergency Contract pursuant to G.L. Chapter 149, Section 44A - 44J.
The Commission further V O T E D: to ratify the action taken by the Division in regards to Contract No. P93-1672-E3A.
The Commission further V O T E D: to accept the lowest bid received, that of B & E Construction Co., Inc., of $283,166.00.
The Secretary then submitted for signature Contract No. P93-1672-E3A, dated October 29, 1998, with B & E Construction Co., Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Faucher and Ms. Pomorska, October 8, recommending approval of revisions in quantities as follows on Contract No. P98-1929-C1A, with Coviello Electric and General Contracting Co. Inc., for Installation of Traffic Signal Systems, Day Boulevard at O and P Streets, South Boston -

Item No. 05	- Unclassified Excavation	- $ 1,960.00
Item No. 07	- 3" Galv. Steel Conduit	- $ 4,250.00
Item No. 08	- 15 Conductor Traf. Sig. Cab.	- $ 1,752.00
Item No. 10	- Veh. Sig. Head Assembly	- $ 1,800.00
Item No. 11	- Pedestrian Signal Head	- $ 3,000.00
Item No. 15	- Detector Lead in Cable	- $ 4,584.00
Item No. 17	- Loam Borrow	- $ 800.00
Item No. 18	- Grading - Liming	- $ 611.00
Item No. 19	- Pavement Trimming	- $ 384.00
Item No. 20	- Cement Conc. Sidewalk	- $ 6,026.00
Item No. 21	- Cement, Front of Edges	- $ 600.00
Item No. 22	- Granite Edges Straight	- $ 1,638.00
Item No. 24	- Granite Curb Remove	- $ 568.00
Item No. 25	- Curb - Remove & Stacked	- $ 75.00
Item No. 26	- Pavement Marking Rem.	- $ 294.25
Item No. 27	- Reflectorized Therm. 12"	- $ 874.80
Item No. 33	- Traffic Contr. Service/Police Inv/-	$ 5,067.00
		$34,284.05

(The revisions will be partially offset by unused quantities in Item Nos. 4, 13, 14, 16, 23, 28, 29, 30 and 32 - Total $9,501.50. The remaining funding of $24,782.55 will be from Account No. 2490-0017).
The Commission V O T E D: Approved.

Meeting 2. of 3.12.98 The Commission further VOTED: to amend its vote of 10.29.98, by Changing the funding source from 2490-0017 to

Report of Messrs. Faucher and Sacco, October 15, requesting the following on Contract No. P99-1980-E1A, for Emergency Repairs to

MDC Nantasket Garage, Hull -
1. Vote to declare Contract No. P99-1980-E1A, for Emergency Repairs to MDC Nantasket Garage, Hull, as an emergency Contract pursuant to G.L. Chapter 149, Section 44J.
2. Vote to ratify the action taken by the Division in regards to Contract No. P99-1980-E1A.
3. Vote to accept the lowest bid received, that of G.V.W., Inc., of $119,435.00.
4. Execution of Contract No. P99-1980-E1A.

Time for Performance - forty five days.
Account No. 2490-0017.
The Commission V O T E D: to declare Contract No. P99-1980-E1A, for Emergency Repairs to MDC Nantasket Garage, Hull, as an emergency Contract pursuant to G.L. Chapter 149, Section 44J.
The Commission further V O T E D: to ratify the action taken by the Division in regards to Contract No. P99-1980-E1A.
The Commission further V O T E D: to accept the lowest bid received, that of G.V.W., Inc., of $119,435.00.
The Secretary then submitted for signature Contract No. P99-1980-E1A, dated October 29, 1998, with G.V.W., Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher and Terzian, October 26, requesting approval of an extension of time from November 2, 1998 to March 2, 1999, for administrative purposes only, under provisions of Article XXII, on Contract No. P98-1940-C1A, with Tasco Construction, Inc., for Removal/Replacement of Culvert Gates and Sluice Gates at Charles River Locks and Dam.
(The extension shall in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time from November 2, 1998 to March 2, 1999, for administrative purposes only, under provisions of Article XXII, as requested by Messrs. Faucher and Terzian in their report of October 26, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this contract.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, October 27, recommending that the utility bill of $100.00, owed to the Commission by Revere Youth Hockey for the 1997-1998 season, be waived by the Commission. The utility bill was for November 1997 and Revere Youth Hockey did not open the concession until December 1997.
Mr. Doak further recommends renewal of the concession permit at

the Cronin Rink to Revere Youth Hockey for the 1998-1999 season.
The Commission V O T E D: to waive the utility bill of $100.00, owed to the Commission by Revere Youth Hockey for the 1997-1998 season, as recommended by Mr. Doak in his report of October 27, 1998.
The Commission further V O T E D: approval to renew the concession permit at the Cronin Rink to Revere Youth Hockey for the 1998-1999 season.

Action was taken upon the following Various Matter:

1. Report of Mrs. Sylvester, October 23, submitting for approval and execution the annual contract with the City of Boston, for the Maintenance and Operation of the James Michael Curley Recreational Facility, located at Day Boulevard, South Boston, for the period July 1, 1998 trough June 30, 1999.
Cost - $293,116.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated October 29, 1998, with the City of Boston, for the Maintenance and Operation of the James Michael Curley Recreational Facility, which was signed by the Commissioner and three Associate Commissioner.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, October 23, recommending that the Commission approve and execute a License for Entry Agreement with the Massachusetts Bay Transportation Authority, to allow the installation and operation of a temporary Peter J. Kelly Rink off Marbury Terrace in the Jamaica Plain section of the City of Boston, pursuant to and in accordance with the provisions of said Agreement, and to further approve the execution of all contracts awarded by the Commission relating to the installation and operation of the temporary Peter J. Kelly Rink, and to further authorize Commissioner Balfour to execute such contracts on behalf of the Commission.
Funds for costs associated with this project are provided within Account No. 2440-9812.
Mr. Thomas Gray explained that two issues involving the License Agreement have recently surfaced.
He stated that the Massachusetts Bay Transportation Authority (MBTA) is asking the Commission to pay a $25,000.00 fee for liability insurance to cover any injury that might take place on the property.
Mr. Gray explained that recently enacted legislation allow the use of public land for recreational activities and frees governmental agencies from any damages to individuals which may occur on the property. He then explained that the MBTA will not honor this new statute.
At this point, Alan Morris, MDC Supervisor, for the area stated that he was recently informed that AMTRAC is in the process of fencing off for safety purposes certain land on its right of way in the area.

This fencing-off, he noted, will result in the loss of up to a six foot strip of land which the Commission was planning to utilize as part of the site for the temporary rink.
Associate Commissioner Carr questioned if the loss of this strip of land would result in changing the proposed site. Mr. Brooks stated that this would definitely cause problems.
Mr. Morris then stated that the loss of the strip of land would have an adverse affect not only on the rink but also spectator bleaches and trailers to be utilized at the site.
Mr. Morris then stated that he would be meeting with AMTRAC next week and at that time, hopefully, he would obtain more information on the fencing project.
Associate Commissioner Carr said he was not comfortable in signing the License for Entry Agreement with the MBTA until the matter of the siting of the rink and liability insurance has been resolved.
Mr. Thomas LaRosa, Associate General Counsel for the Executive Office of Environmental Affairs, asked if the Commission would approve and execute the License for Entry Agreement pending the resolution of the two issues so that the project can move forward in an expedient manner.
Associate Commissioner Carr stated that he understood the desire to move forward. However, he noted, the two important issues must be resolved before the project can move forward.
Following a lengthy discussion, the Commission V O T E D: to Hold Over the matter pending receipt of further information.
Associate Commissioner Wu abstained from voting on the item.

Adjourned at 10:15 a.m., to meet on Thursday, November 5, 1998, at 9:00 a.m.

William F. Crushel
Secretary

Record of the Three Thousand Eight Hundred and Seventieth (3870th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 5, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 22, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, October 27, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 6 - to perform nine additional items that will improve the project and alleviate future maintenance problems - at a cost of $5,861.13, on Contract No. PL92-017-C2A, with D & C Construction Company, for Upper Charles River Reservation Restoration - Phase 1B.
Funding is available in Account No. 2490-0017.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 6, on Contract No. PL92-017-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $5,861.13.

2. Report of Messrs. Faucher, Brooks and Abounaja, October 16, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 5 - for furnishing and installing 2000 gallon above ground storage tank with a containment dike, stairs and piping, etc., at the Devine Rink, Dorchester - at a cost of $28,000.00, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities.
(At no additional Contract cost as the extra work will be offset by unused quantities in Item No. 002-003 - furnish and install 3000 gallon underground heating oil fuel tank with accessories).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 5, on Contract No. P95-1789-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $28,000.00.

3. Report of Mr. Faucher and Mrs. Graves-Jones, October 27, recommending approval of a revision in quantities on Item No. 015-015 - Traffic Signal Cable - 15 Conductor - at a cost of $375.00, on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 015-009 - Traffic Signal Cable - 9 Conductor).
The Commission V O T E D: Approved.

1. Report of Mr. Faucher and Mrs. Graves-Jones, October 26, recommending approval of a revision in quantities on Item No. 003-010 - 4" Reflectorized Line (Thermo) - at a cost of $21,031.92, on Contract No. P98-1924-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 001-010, 004-010, 005-010, 007-010, 008-010, 009-010 and 010-010).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, October 20, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - additional work to install concrete, water pipe and fence posts - at a cost of $8,124.90, on Contract No. P97-1870-C4A, with D & R General Contracting/MDR Construction Co., Inc., for Reconstruction of John J. Murphy Playground, Somerville.
Account No. 2440-8952.
The Commission V O T E D: to approve action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1870-C4A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $8,124.90.

3. Report of Messrs. Faucher and Jackson, October 29, submitting for approval Project Summary, Work Schedule, Project Justification and authorization to advertise for proposals, Project No. P92-1628-C8A, for 1999 Parkway Landscape Improvements.
Estimated Cost - $300,000.00.
Time for performance - twelve months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for proposals, Project No. P92-1628-C8A, for 1999 Parkway Landscape Improvements.

4. Report of Messrs. Faucher and Deluca, September 25, recommending the following on Contract No. P98-1931-C1A, with John Associates, Inc., for Replacement of Translucent Roof Panels at the Emmons-Horrigan Rink, Charlestown -
(a) That work be accepted as completed as of September 25, 1998.
(b) That Estimate No. 1 (Final), in the amount of $25,650.00, be approved for payment.
(c) That reserve, in the amount of $1,350.00, be approved for payment.
(Basis of Award - $27,000.00)
(Amount to Date - $27,000.00)
(Contract Performance Rating - 86 with 100 being excellent)
(EEO Compliance - 4.20)
The Commission V O T E D: that the work of John Associates, Inc., Contractor under Contract No. P98-1931-C1A, be and hereby is accepted as completed as of September 25, 1998.
The Commission further V O T E D: to approve Estimate No. 1

(Final), in the amount of $25,650.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,350.00, for payment.

Action was taken upon the following Various Matter:

1. Report of Mr. Haglund, October 26, recommending that the Commission approve a name change of Paul Revere Landing Park in Charlestown to Paul Revere Park, as requested by the National Park Service, the Friends of City Square Park and the Charlestown Neighborhood Council.
The Commission V O T E D: to approve a name change of Paul Revere Landing Park in Charlestown to Paul Revere Park, as recommended by Mr. Haglund, in his report of October 26, 1998.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, October 28, submitting for approval new bidding policy for forest products as requested by the Commission at its meeting of October 8, 1998.
Associate Commissioner Wu noted that he thought the bidding policy presented to the Commission was very good. He suggested that Mr. Pula incorporate into Section 3 of the Bidding procedure dated, October 28, 1998, the following -
"The Committee composed of the Superintendent from the appropriate section, the Chief Forester, the Director of Natural Resources, the Forest Contract Administrator and the Natural Resources Forestry Specialist, has the authority to disqualify bidders based on past performance."
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mr. Gray, October 23, recommending that the Commission approve and execute a License for Entry Agreement with the Massachusetts Bay Transportation Authority, to allow the installation and operation of a temporary Peter J. Kelly Rink off Marbury Terrace in the Jamaica Plain section of the City of Boston, pursuant to and in accordance with the provisions of said Agreement, and to further approve the execution of all contracts awarded by the Commission relating to the installation and operation of the temporary Peter J. Kelly Rink, and to further authorize Commissioner Balfour to execute such contracts on behalf of the Commission.
Funds for costs associated with this project are provided within Account No. 2440-9812.
It was noted, by Mr. Gray, that the Commission's concerns regarding the loss of up to a six foot strip of land, the Commission was planning on using for the facility, has been resolved and it now appears that the loss will be minimal. However, the other issue regarding the $25,000.00 fee payable by the Commission to the MBTA remains unresolved, he explained.
Associate Commissioner Elkort stated that she was still

uncomfortable with the project and would like to have a briefing on all aspects of the project.
Following the lengthy discussion, the Commission V O T E D: to Hold Over the Matter pending a full briefing at the Commission meeting of November 12, 1998.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

Adjourned at 9:45 a.m., to meet on Thursday, November 12, 1998, at 9:00 a.m.

William J. Crochil
S e c r e t a r y